

FIFTY CENTS

JULY 23, 1973

TIME



In Defense
of Nixon

**'SPEAK
NO
EVIL'**

Giusti

John Mitchell

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RAND McNALLY



and
you thought
we just made
maps



A LETTER FROM THE PUBLISHER

Last summer, in the week that followed the break-in at Watergate, only four *TIME* readers wrote to the editors to express their views. One of those four was prophetic: "The suspicious burglary at Democratic Party headquarters... is a clear warning for all those who have been sitting pathetically on the sidelines to get concerned about the political future of our nation in this election year."

But the big political story that summer was the Democratic nomination of George McGovern for President, and then came the controversy over his running mate, Senator Thomas Eagleton. Watergate submerged into the murk like another Loch Ness monster. *TIME* letter writers, however, consistently took a more critical view of President Nixon than did the voters as a whole. As of Election Day, *TIME*'s mail ran roughly 4 to 1 against Nixon, compared with his 60.7% majority of the popular vote.

The real flood began after our April 30 cover story on Watergate. One of the 393 Watergate letters we received that week said: "As one who voted for Nixon in November, and looks back on it now with dismay, it is encouraging to see some public demand for the resolution of Watergate." But a number of readers still thought the press was exaggerating. Said one: "A few Republicans spy on a few Democrats and you write and preach and fume about it as if it were the worst scandal in history."

A lively debate had begun, and it has continued ever since at the rate of about 500 letters a week. To date, we have received more than 6,000 letters about Watergate. More than half of them have criticized Nixon in terms ranging from "Unfortunate" to "He should be committed," while about one-fifth have supported the President. Roughly 15% claim the press and/or *TIME* are prejudiced against Nixon. And some readers just throw up their hands in despair over the whole mess. "Is there no other news in the world?" one of them asked.

Every letter we get (an average of 1,200 per week) goes to Maria Luisa Cisneros and her staff of nine, who answer the mail, analyze trends and distribute excerpts of the most interesting letters among *TIME*'s staff. Isabel Kouri, a letters correspondent since 1960, answers mail critical of our Watergate coverage. "A striking number of readers are worrying about the image of the presidency itself," she says. Last week she wrote to one such reader: "It seems to us that in the long run, competent, thorough, honest and aggressive news reporting is the servant of the national interest, even though in some cases it may be momentarily embarrassing to the Government." To which, amen.

Ralph P. Davidson

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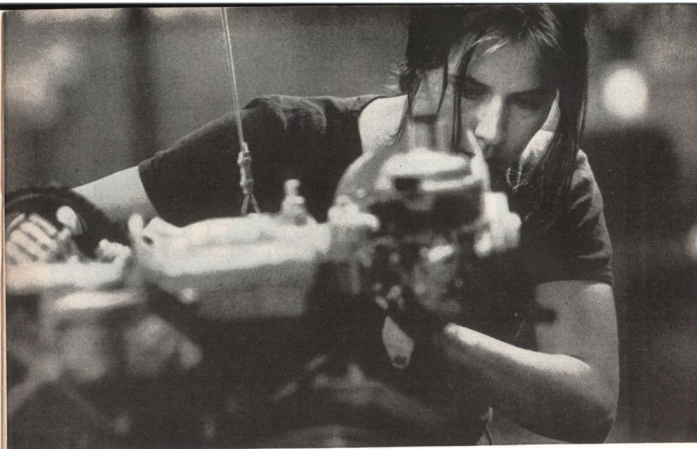
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LETTERS

Cleaning Up the Country

Sir / Bravo to the Supreme Court for its recent ruling on pornography [July 2]. It's about time we got tough with those greedy smut pushers and cleaned up America.

DAVID R. BLAKELY
 Winchester, Mass.

Sir / The Supreme Court has destroyed the First Amendment and this nation's claim to freedom of expression. Congress is beginning to restore the balance of power in its relationship with the Executive Branch. Will Congress also have the guts to stand up to the Supreme Court and restore freedom of speech and press?

FRED N. BREUKELMAN
 Dover, Del.

Sir / Chief Justice Burger's statement that "it is neither realistic nor constitutionally sound that the people of Maine or Mississippi accept public depiction of conduct found tolerable in Las Vegas or New York City" might be quite logical.

But wouldn't it be even more logical for each individual to decide what he finds tolerable or obscene?

Personally, I find billboards on the highways more offensive than porno books and movies. At least with porno books and movies a person has the option to either look or not, depending on his own taste or boredom threshold.

EDWARD NOBLE
 San Francisco

Sir / Censorship is obscene and without any redeeming social value.

RICHARD L. KLASS
 Silver Spring, Md.

Sir / Apropos of your dissertation on the Supreme Court's latest ruling on the definition of pornography, it might interest you to know that my aunt (age 89) considers TIME magazine to be pornographic.

DIXON LYON
 Allenhurst, N.J.

Sir / As an American serviceman with a mission to protect the freedom of America against those who would take it from us, I find the greatest "clear and present danger" to that freedom in the Burger court decision on pornography and its far-reaching implications for repressive legislation.

KENNY J. STRICKLAND
 Captain, U.S.A.
 Amman, Jordan

Sir / Some tolerance of pornography is necessary, for if we distinguish it by its lack of "literary, artistic or scientific value," we put censors in the position of deciding what constitutes art, literature and science. Their previous record is lamentable.

The shift to local standards of obscenity recognizes that there are various viewpoints and considerable controversy on this issue, but these differences are not merely geographic. The existence of nationwide communication and distribution of information would force censorship to accommodate the lowest common denominator.

ALBERT T. LUNDE
 Chicago

Nettles Island or Camperland?

Sir / What is the point of "getting away" if we must carry all of our paraphernalia with us to insulate ourselves from a new environment [July 2]? Like the American tour-

ists who asked the hotel clerk whether they were in the Paris or the Madrid Hilton, campers may soon be asking each other if this is Nettles Island or Camperland.

CHRISTOPHER C. BAKER
 Boston

Sir / Not for me the spartan existence on lonely wilderness trails espoused by Philip Taubman. In the backwoods are the piercing cacophony of songbirds, the harassment by vicious chipmunks and other wild beasts, the choking fumes of wildflowers. Give me the trailer camp with the solidity of concrete beneath my feet, the rich aroma of half-burned gasoline, the reassuring hum of the flush toilet, the wall-to-wall people. Ah, the great outdoors!

GARY REINISS
 New York City

The Growing List

Sir / After listening to the Watergate testimony, I would like to add my name to the list of people "unfriendly to the Nixon Administration."

RUTH M. WAGNER
 Wilmington, Del.

Sir / Apparently the authors of the Nixon Administration's "enemies list" neglected to add what I hope in the end will be their greatest enemy, the Constitution of the U.S.

RICHARD G. LONG
 University City, Mo.

Sir / There are many young men like myself who obeyed the law when we were drafted though we disagreed with the legality of the war. How many of the men involved in Watergate will emerge with an honorable discharge when all the facts are in? As one who has obeyed the laws even when I disagreed with them, I would like to register my vote for impeachment.

ROBERT J. GIACOBBI
 Arlington, Mass.

Sir / The revelation of the secret lists is shocking. This is a police-state operation and reminds us of the lists that Adolf Hitler kept during the 1930s. It is disgusting that the present Administration is so paranoid that it considers anyone a traitor who disagrees with its political views.

(MRS.) FAYE WALLACE
 Los Angeles

Sir / Do 245 pages make John Dean the world's biggest tattletale?

MELVIN P. KESTER
 Lake Jackson, Texas

That Bill for San Clemente

Sir / I realize that \$703,367 is a lot of money, and I have lost much faith in President Nixon, but any person willing to accept the responsibilities of a President of these United States merits much more than we give him. I only wish that the American people would realize how much our Presidents deserve for the continuous problems they must face 24 hours a day.

BERNARD G. RUDER
 Columbus

Sir / I feel the San Clemente property ought to be turned over to the public, with reasonable compensation to Mr. Nixon for his private investment, subsequent to his tenure as President. This nation, sprawling geographically and culturally as it does, needs



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LETTERS

a Western White House to let the people of that section feel a closeness to the Federal Government. However, for Mr. Nixon to retain the premises following his presidency would seem, at best, unethical.

ELIZABETH STORCH
Lockwood, N.Y.

Sir / With all the public moneys spent to improve the President's San Clemente home, I hope there is ample closet space for Pat's "respectable Republican cloth coat."

RAYMOND A. MCKEIGHAN
Southold, N.Y.

Brand New Plane

Sir / Your article "The U.S. Goes to Market" [June 18] discusses the export sales of our F-5E IFA. You accurately point out that a number of Latin American nations are interested in the airplane to meet their air defense needs. However, a remark attributed to an unidentified air force officer of another country incorrectly describes the F-5E as "surplus remodeled equipment."

The F-5E is a brand-new airplane, just beginning to come off the production line. The first production models are being delivered to the U.S. Air Force and deliveries will soon begin to the other countries that have selected the airplane in competition with those of other nations.

W.E. GASICH
Vice President and General Manager
Aircraft Division
Northrop Corp.
Hawthorne, Calif.

A Cheaper Way

Sir / Why does the U.S. spend billions of dollars to help Communism in Southeast Asia only to turn completely about-face and subsidize wheat shipments to the Soviet



...but just look at her now!

When little Betania first came to our affiliated Children's Home in Brazil, she was nine months old and so undernourished her skin broke at the slightest touch. Her destitute mother had fed Betania on water sweetened with sugar—nothing else . . .

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You will receive complete instructions telling you how to write direct to your child. Then will come a happy day when

you receive a reply from your child—the original and an English translation.

You may be wondering: just what does my \$12 a month provide? Well, this depends on the Project? The child—like Betania—may live in an Orphanage which receives aid from other sources, but still must struggle to give children the basic needs of life. Your gifts help make possible the extra advantages so necessary to a child in today's world . . . shoes that fit, school books, nourishing food, a loving housemother . . .

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The neglected part of your

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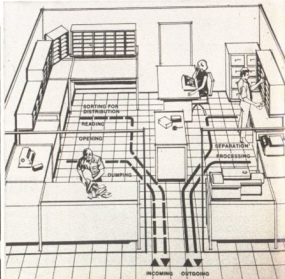
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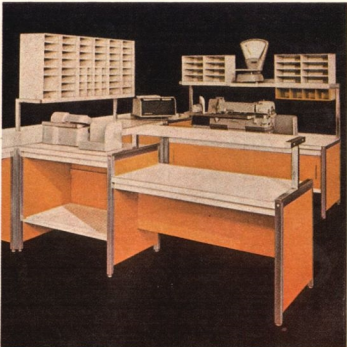
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You'll take the Bronx and Staten Island too. _____

Old Fashioned. With Bacardi, it's very _____
new fashioned. _____

Sour. Alas, poor whiskey, you knew it well. _____

Eggnog. It'll jingle your bells at holiday time. _____

Planter's Punch. Tropical drinkers say this _____
one's a great heat beater. _____

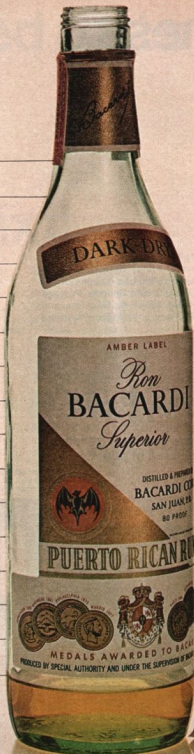
Tom & Jerry. Arctic drinkers say this hot _____
one's a great cold beater. _____

Hot Toddy. Classic way to warm body and soul. _____

Hot Buttered Bacardi. Another tasty _____
temperature raiser. _____

Stinger. A way to get stung and like it. _____

The last ounce or so. A chance to let your
imagination fly and give Bacardi your personal
mixability test. Stymied? Write for our free recipe
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BACARDI, rum. The mixable one.

LETTERS

Union [July 2]. Isn't this in effect helping to perpetuate Communism at its very hard-core source?

Would it not be cheaper for us if the average Russian living under Communism could feel the pangs of hunger to the point that he would have the courage to stand up and face his government in an eyeball-to-eyeball confrontation? Why should Americans feed Russians?

LAURA SMITH
Birmingham

Sir / Strictly in terms of what it will cost the American taxpayer, Russia looks better as an enemy than as a friend. Brezhnev came to Nixon as a friend in need, and everyone knows that a friend in need is a friend to avoid.

LES TUSUP
Mill Valley, Calif.

Talented Turncoat

Sir / Instead of prattling her sour grapes to TIME [July 2], Carrie Nye should have been struck speechless contemplating her affected performance in *Divorce His/Divorce Hers*.

Mr. and Mrs. Burton deserve to get roaring drunk recalling their idiocy in hiring this turncoat talent.

JOHN CARLYLE
Los Angeles

Sir / Please thank Actress Carrie Nye for providing the most enjoyable fit of hysterics I've had in years. That gal is in the wrong profession.

MRS. JAMES O. MCCOWN
Fort Lauderdale, Fla.

Advice from a Farmer

Sir / I appreciate TIME magazine and would advise the staff to buy broilers, eggs, pork and maybe beef wanted for eating after New Year's. Maybe you had better buy extra bacon because eggs won't be too good by then. As long as price ceilings stay on my 300-head, hog-finish house will continue to stay empty regardless of what happens to feed prices.

I believe in a free marketing system rather than a huge bureaucratic control by a corrupt Administration, which needed George Meany's support.

I would also advise you to fill storage space with sugar, cocoa, tires and so forth each time export embargoes are put on. Signed, a past Nixon supporter twice over.

CLARENCE HUYGENS
Hospers, Iowa

Address Letters to TIME, Time & Life Building, Rockefeller Center, New York, N.Y. 10020

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AMERICAN NOTES

The New P.O.W.s

Certain American impulses, it may be comforting to know, are flourishing in the midst of the Watergate malaise. The entrepreneurial spirit, for example. Three Chicago businessmen are now marketing engraved Watergate bracelets modeled after the P.O.W. bracelets so many Americans wore before the prisoners' release from Communist jails. The current P.O.W.—meaning "Prisoners of Watergate"—bracelets carry the names of former presidential advisers and the dates they were indicted or resigned. So far, there are four choices: John N. Mitchell (5-10-73), John W. Dean III (4-30-73), H.R. (Bob) Haldeman (4-30-73) and John D. Ehrlichman (4-30-73).

Selling for \$3.95, the bracelets supposedly have an all-purpose message. "You can wear the bracelet until the man is either indicted, convicted, par-

doned or paroled, depending on your point of view," says Louis Lerner, one of the three entrepreneurs. "What we're really hoping for is that on Jan. 19, 1977, Nixon gives them all a presidential pardon, so that all the wearers can take off their bracelets and throw them in one loud crash on the marble floors of America. Or they can send them back for recycling for the next scandal."

Massachusetts Refuses

Once, the FBI's centralized criminal files seemed a gangbuster's marvel: a mere call to the computer in Washington could bring an instant rundown on a suspected Sacramento bank robber. Today Americans are more sensitive to the sinister uses of such rich stores of information. Massachusetts, for example, has gone to extraordinary lengths to ensure that its own statewide criminal-data system contains safeguards. Access to the files is carefully limited by law, and any citizen has the right to examine and correct any entry under his name. One crucial point in Massachusetts arrests are not listed unless they have resulted in a conviction.

Such fastidiousness has gotten the state in trouble with the Federal Government. Under the leadership of liberal Governor Francis W. Sargent, the Bay State has refused to become part of the FBI's National Crime Information Center, partly on the ground that the FBI records arrests as well as convictions—a man could be in the criminal file even if he was innocent. In a letter to his second cousin, U.S. Attorney General Elliot Richardson, Sargent took a swipe at Watergate ("To be frank, recent revelations concerning top government employees do not inspire confidence"), and explained that Massachusetts would join the national file system only when it provides better guarantees of individual rights.

That attention to the Constitution is costing Massachusetts millions of dollars; federal agencies insist that if they cannot check on possible security risks connected with federal programs, they cannot send the state money that is due it under these programs.

The Rewards of Poverty

A congressional subcommittee laboring through forests of welfare statistics passed last week to report some disconcerting facts: a family of four in New York City, alert to their opportunities under welfare, Medicaid and a handful of other social-benefit pro-

grams, can harvest a yearly income of \$8,959, an untaxed sum that is the equivalent of \$11,500 in taxable wages. Such hypothetical rewards, in other words, operate as a real incentive not to work for a living. Indeed, the system makes it positively unprofitable to take a job, since that would result in massive disqualifications.

Thus a theoretical point was scored for the ancient opponents of "welfare chisellers." Of course, it would take a Ph.D. in bureaucracy and creative sloth for a harried family to collect such riches. All the same, it does turn the work ethic upside down. The real issue is not so much those who avoid work as those who seek it and cannot find it—those husbandless mothers in particular who, for lack of day-care centers, cannot go to a job even when one is available.

But the problem is deeper still. Another study, this one involving welfare recipients in Detroit, has concluded that the working poor are just as impoverished as those on the dole, and have little prospect of improving their lot through work. Poor working women, said the report, are in the worst condition of all, their wages and opportunities even more limited than men's.

Heavy Handicap

Almost every race horse carries into each race the hopes and dreams of an ephemeral fan club: the men and women who placed bets on him just moments before. But Knight Counter, a highly successful five-year-old, has a permanent cheering squad—the 12,000 depositors of the defunct Prudential Building & Loan Association in Louisville.

A local judge ruled last month that Robert Huffman, a former auditor of the bankrupt association, could pay off the \$28,555.65 he owed with the winnings of Knight Counter, his most visible asset. After the ruling went into effect, Knight Counter won two second-place purses at Liberty Bell in Philadelphia in June for a total of \$7,765. According to the agreement, 40% of the money is being held in escrow for the 12,000 depositors. The horse has \$64,000 to go to clear his owner's account—about as much as he won in the first five months of the year.

Some of the depositors are understandably impatient. One complained recently to Arthur Brown, the association's receiver, that the horse should run every week. But that is the surest way to turn Knight Counter into Bad Debts. Rejoined Brown: "We might kill the horse if we did that."

CHICAGOANS' WATERGATE BRACELETS



A Case of Pneumonia and Confrontation

As Richard Nixon emerged from the South Front of the White House, he seemed forlorn, his shoulders sagging. None of his family were with him. He climbed into his long Lincoln limousine with his new chief of staff, General Alexander Haig. The eight-car motorcade, led by a car full of Secret Service agents, slid off into the cool, clear Washington night. Thirty-eight minutes later, again looking preoccupied and rather alone, Nixon checked into the third-floor presidential suite at Bethesda Naval Hospital. The President, said his personal physician, Dr. Walter R. Tkach, had come down with viral pneumonia (see MEDICINE).

"I suspect it did not come on suddenly," Tkach told reporters at the hospital. "I suspect he felt tired and didn't want to say anything to me about it." Just returned from a 16-day sojourn at San Clemente, Nixon had begun feeling pains in his chest on Wednesday night. He put in a full day's work on Thursday, then finally agreed Thursday night to check into the hospital. Tkach (pronounced tuh-kosh) said that the President would spend from seven to ten days there. He was, said Tkach, "moderately sick." Nixon was given an antibiotic and an analgesic, and cut down his work load to one-quarter of its normal amount. With his pneumonia, he was running a temperature (between 101° and 102°), and his breathing was slightly quicker than usual.

Nixon has often said, "I never get sick." The timing of the presidential illness, of course, aroused both worried speculation that the condition had been brought on by the strains of Watergate and some cynical words around Washington about a "psychosomatic illness." There was no evidence whatever to suggest that Nixon's illness was more serious—or less serious—than stated.

Complex Battle. Even without his pneumonia, it had not been a happy week for Nixon, whose last unmitigated joy was probably his Inauguration night months ago. Quite apart from the public testimony, the Senate's Watergate investigating committee was bearing down on Nixon in a complex battle to force him to release White House papers that might reveal the inner mechanics of the scandal.

Tennessee's Howard Baker and North Carolina's Sam Ervin were determined to pierce the shell of Executive privilege with which Nixon sought to protect the papers. Letters were exchanged. First, Nixon, on July 6, flatly refused to let the committee see any White House documents. He also stated that he would not agree to testify before the committee.

Last week, during an executive session, the committee agreed on Baker's

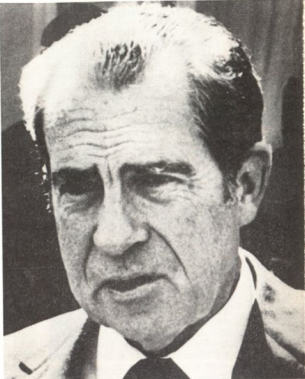
plan to draft a letter to the President requesting a meeting to resolve the question of the documents. Then Ervin put through a call to the President, who at that moment was trying to ignore his pneumonia. "We really need those documents," Ervin told Nixon. "And we need to discuss the matter with you." Ervin went on to explain that documents dealing with politics or alleged illegal conduct could not be covered by Executive privilege. "What I really want," said Ervin, "is for me and Howard Baker to come down and talk to you about this thing."

Nixon agreed to meet with Ervin—but he pointedly excluded Baker, a reflection of the President's irritation with the Tennesseean. The insult raised some eyebrows in Washington, but it did serve to establish once and for all Republican Baker's independence of the White House. The stage, at any rate, was set for Ervin to meet Nixon, after the President leaves the hospital. Ervin said, however, that the committee would not take the issue to court if the President were to refuse to honor a subpoena for the documents.

Rather, he explained, the committee would "simply allow the President to take the adverse inference that would be drawn from his action."

The Administration had other miseries with Congress last week. The Senate Foreign Relations Committee rejected Career Diplomat G. McMurtrie Godley's nomination to be Assistant Secretary of State for East Asia and Pacific Affairs. As Ambassador to Laos since 1969, the committee's majority decided, Godley had been less than clearly. Chairman J. William Fulbright and some others believe that Godley was involved in running a secret war in Laos during his tenure, and was part of a fraternity of Indochina experts responsible for most of the American mistakes there. The committee emphasized that it did not question Godley's skills and was willing to approve him for a post somewhere else in the world. The White House and the State Department implied that the committee was penalizing a career diplomat for obeying his instructions. But as much as anything, the committee was simply voting to bring some fresh thinking to the nation's Indochina policies.

There was some solace for Richard Nixon. The Young Republicans, meeting in Atlanta, passed a rousing reso-



NIXON BEFORE ENTERING HOSPITAL LAST WEEK
Also miseries with Congress.

lution of support. On Wednesday night, ten conservative Republican Senators, led by Nebraska's Carl Curtis, went to the White House for cocktails. A month before, Curtis had stood on the Senate floor and declared: "Our President is an honest and honorable man. I believe in him and I want the whole world to know it." Nixon was grateful, and so last week he invited the ten Republicans to join him in the White House library, where he discussed the budget, the energy crisis, foreign policy and, briefly, Watergate. One Senator quoted the President as saying: "I don't expect people to believe in my morals so much as in my having some common sense. The whole performance was so asinine that I'd hate to have people think I knew about it in advance." And then, ambiguously: "As for covering it up, I don't think anybody would expect me to go around bragging about it."

Senate Minority Leader Hugh Scott, who did not attend the cocktail meeting, recalls the President's telling him recently on a flight aboard Air Force One: "People can say what they want about me, but one thing they can't say. Stupid I'm not. If I had caught any of these people involved with these goings-on, I'd have fired their asses the hell out of there."

Mitchell: "What Nixon Doesn't Know..."

Caught by the piercing television cameras in the Senate Caucus Room, the two John Mitchells seemed too much of a contrast to be reconcilable:

The first Mitchell was the familiar figure of old, the nation's serenely confident chief lawman and the President's top political strategist. The voice was firm, the denials of personal wrongdoing scathing ("a palpable, damnable lie"), the humor bitingly heavy (on the Watergate conspirators: "It would have been simpler to have shot them all").

The second Mitchell, harshly questioned about his judgment and his truthfulness, seemed shrunken and subdued. His words slurred, his eyes watered, his face was flushed. This Mitchell, out of power and in eventual danger of being jailed, was bitter, muttering into the microphones: "It's a great trial being conducted up here, isn't it?"

Millions of viewers might admire, however grudgingly, the bravado of the first Mitchell, and sympathize at least fleetingly with the pained posture of the second. Yet as the former Attorney General undoubtedly would agree, those sentiments do not really matter. What was of possible historical consequence was whether Americans believed the insistent protestations of both these Mitchells about the innocence of Richard Nixon in all of the many Watergate-related crimes and deceptions.

Frail Peg. Where the President was concerned, said Mitchell, his policy in effect had been "speak no evil," and the President had been quite ready to see and hear no evil. Mitchell claimed that he withheld what he knew from the President in their many conversations. Mitchell also claimed to be convinced, not by anything the President said but by what was not said in those conversations, that no one else, including John Dean, had told the President who had been involved in the Watergate planning or its cover-up until at least nine months after the arrests at Democratic national headquarters. Moreover, despite the mounting public furor over the scandal, only once did Nixon even ask his close confidant what he knew about Watergate—in a phone conversation three days after the bungled burglary on June 17, 1972. Mitchell testified that in this conversation he merely apologized to the President for "not knowing what the hell had happened, and I should have kept a stronger hand on what the people were doing" at the Committee for the Re-Election of the President, which Mitchell then headed.

That was a frail peg on which to hang the contention that Nixon did not know. Obviously, the Mitchell version runs counter to the voluminous testimony by Dean, Mitchell's onetime protégé at the Justice Department and

the President's fired counsel. Dean had testified that beginning on Sept. 15, 1972, he and Nixon had discussed efforts to "contain" indictments to the seven low-level arrested Watergate wiretappers, offers of Executive clemency and payments of money to keep these men quiet, an attempt to influence a federal judge to delay Democratic civil suits until after Nixon's re-election, and ways to keep information from two impending congressional investigations.

Even accepting Mitchell's testimony completely, one still has to conclude that as the nation's highest law officer or as a close aide to Nixon, Mitchell 1) condoned serious illegal acts; 2) put the re-election of one man above the law and the Constitution; 3) arrogated to himself the huge responsibility of shielding the President from vital facts.

Unwise, unethical and perhaps even illegal, Mitchell's failure to inform the President about the criminal and deceitful activities of his associates was nevertheless based on a plausible rationale. To give Nixon such knowledge, Mitchell argued, would either make the President a party to the cover-up or would cause him "to lower the boom" on all those involved and thereby expose their activities. This would lead the public to blame Nixon for the wrongdoing of his associates. It would hinder his re-election chances—and this would be "absolutely unfair and unjustified."

Yet under critical questioning, Mitchell contended that he had made no parallel effort to persuade other knowledgeable officials to withhold similar facts from the President, and he denied taking any action to keep the arrested conspirators silent. Considering Mitchell's overriding concern for Nixon's re-election, his efforts to "keep the lid on," as he put it, seemed much too limited to ensure the President's insulation. To admit broader activities, of course, could make Mitchell—who was not testifying under any grant of immunity against criminal prosecution

—more susceptible to a charge of conspiracy to obstruct justice.

If Mitchell's account of his conversations with the President was correct, it raised troubling questions about Nixon's lack of inquisitiveness. The testimony led a highly skeptical committee chairman Sam J. Ervin Jr. to declare: "Well, if the cat hadn't any more curiosity than that, it would still be enjoying its nine lives—all of them." Three highly damaging interpretations of that lack of presidential curiosity seemed possible: 1) Nixon did not ask Mitchell because he too shared the Mitchell rationale that he would be better protected politically by a lack of knowledge, and thus he did not want to know; 2) he already knew from others which officials were involved, and thus he had no need to inquire; 3) he suspected Mitchell's involvement and did not want to take action directly against his good friend. Another possibility is more distasteful: Mitchell's testimony could be false, and the two may have discussed Watergate candidly all along.

Horror Story. Mitchell never wavered in his rejection of much of Dean's testimony. Later, John Ehrlichman and H.R. (Bob) Haldeman are also expected to deny Dean's claim that Nixon was part of the cover-up conspiracy. With the testimony last week of Richard A. Moore, special counsel to the President, which also conflicted in some ways with Dean's claims, Nixon's defenders are building their case—and the worst hours of testimony from the White House point of view may indeed be past. As Dean predicted, this phase of the hearings could end with his word being pitted on some points against that of as many as four other men. Thus while impeachment or the President's resignation remains unlikely, his political effectiveness depends largely on how most Americans judge the credibility of the committee's key witnesses.

Mitchell opened his 2½ days of testimony forcefully. Appearing under subpoena and against his will, he pre-

FRED WARDON—LOUIS MERCIER



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sented no overall statement and fielded the initial questions of Chief Counsel Samuel Dash briskly and pointedly. As expected, Mitchell admitted sitting through three meetings, the first two as Attorney General, at which the bizarre and illegal political espionage plans of G. Gordon Liddy, then the Nixon re-election committee's chief counsel, were presented. Indignantly, Mitchell said he was "angered" and "aghast" at these plans. They were "a complete horror story" and "beyond the pale." Each time, he said, he clearly and flatly rejected the plans. He told Liddy to burn the charts outlining his initial schemes, which included the use of call girls, mugging squads and kidnapping.

But, asked Dash, as "Attorney General of the United States, why didn't you throw Mr. Liddy out of your office?" Responded Mitchell coolly: "Well, I think, Mr. Dash, in hindsight I not only should have thrown him out of the office, I should have thrown him out of the window." Persisted Dash: "Well, since you did neither [laughter], why didn't you at least recommend that Mr. Liddy be fired?" Again Mitchell agreed: "Well, in hindsight, I probably should have done that, too."

Repeatedly the Senators asked why Mitchell had not taken any action against Liddy for proposing crimes to the nation's top law officer. Asked Senator Lowell Weicker: "Didn't it occur to you to call up the President and say, 'I have got some pinwheel in my office here that is going to be the counsel in your re-election campaign, and I think I ought to warn you, you have got a lot of trouble on your hands?'" Democrat Daniel Inouye asked what differences there were between the Justice Department's prosecution of antiwar Catholics for discussing the kidnapping of Henry Kissinger and "a discussion of criminal activities in your office." Mitchell said that the Kissinger case involved overt acts rather than mere discussion.

Mitchell's testimony on the period before the June 17 arrests at the Watergate clashed head-on with the testimony of Jeb Stuart Magruder, the Nixon committee's former deputy director. Magruder had insisted that

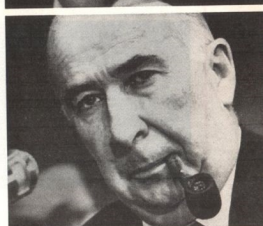
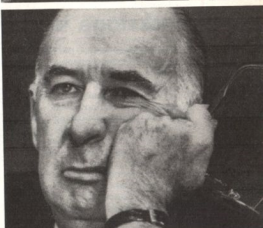
Mitchell had clearly, if reluctantly, approved the Democratic wiretapping at the third meeting at Key Biscayne on March 30, 1972. But Mitchell said his reaction at that meeting was "We don't need this. I am tired of hearing it. Out! Let's not discuss it any further." Mitchell implied that his then assistant, Frederick LaRue, the only other person present, would confirm his story. Yet LaRue, in a talk with the Ervin committee staff, quoted Mitchell as putting the matter aside, saying there was "no need to make a decision at this time."

Damnable Lie. Quizzed on why the Liddy wiretapping proposal kept reappearing—and finally was carried out—if he was adamantly opposed, Mitchell suggested that there must have been "compulsion from some other areas" on Magruder to keep pushing the Liddy project. Mitchell said he did not know who would have applied such pressure, but implied that he suspected Charles W. Colson, a former special counsel, as the most likely source. Magruder had testified that Colson had called him and asked him "to get off the stick" and get Liddy's plans approved.

Other damning testimony by Magruder was even more heatedly denied by Mitchell. Magruder had claimed that after the initial Watergate burglary on May 27 he had shown some photographed Democratic documents and intercepted telephone conversations to Mitchell, who was described as so irate over the results that the burglars made their second and fateful raid on June 17. It was this charge that Mitchell termed "a palpable, damnable lie."

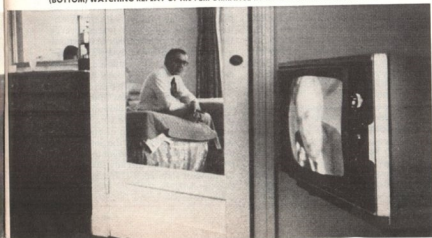
As for the immediate post-Watergate period, Mitchell also contradicted Magruder's testimony that there had been a decision in Mitchell's apartment on June 19 that Magruder should burn his records on the wiretapping results, code-named Gemstone. He denied Dean's allegation that he had asked Dean to seek the approval of Ehrlichman and Haldeman in enlisting the help of Herbert Kalmbach, Nixon's personal attorney, to raise and disburse payments to the arrested wiretappers. He scoffed at Dean's charge that he and other Nixon associates talked about out-of-court

STEVE KURTZ



CHRISTOPHER LITTLE—CAMERA

(RIGHT) THE MANY FACES OF JOHN MITCHELL DURING HIS WATERGATE TESTIMONY
(BOTTOM) WATCHING REPLAY OF HIS PERFORMANCE IN WASHINGTON HOTEL ROOM



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approaches to a Washington federal judge to persuade him to delay hearings on the Democratic civil suits until after the 1972 election. To talk to a judge would be "the quickest way to get the opposite results," Mitchell said.

There were still more conflicts with other witnesses in Mitchell's account. He denied Dean's contention that he had told Dean that convicted Wiretapper E. Howard Hunt had been assured of Executive clemency and that the same assurance could thus be given to another restive defendant, James McCord. Also untrue, said Mitchell, was

Dean's claim that Mitchell had told Ehrlichman, Haldeman and Dean at a meeting on March 22 that "Hunt's money problem had been taken care of"—a reference to Hunt's attempts to blackmail the White House. He also contradicted Magruder's report that he had told Magruder on March 27 to expect Executive clemency if Magruder were to be convicted of a Watergate crime.

Many of Mitchell's denials were not categorical, however. He sprinkled his testimony with qualifying phrases: "to the best of my recollection" or "I can't recall." Clearly a sharp and wary law-

yer, he is painfully aware that he is a prime target of Special Watergate Prosecutor Archibald Cox. Yet Mitchell did make several personally damaging admissions. Most notably, he admitted listening to Magruder on several occasions explain the story he intended to give—and later did give—to the original Watergate grand jury and at the Watergate trial. Mitchell conceded that the testimony planned by Magruder, designed to limit the indictments to Liddy's level, was false. In other words, Mitchell admitted that he knew Magruder was planning to commit perjury.

Backstage with the Ervin Panel

The seven members of the Senate Select Committee on Campaign Activities are the permanent panelists of the country's most engrossing daytime show. But Chief Counsel Samuel Dash, Minority Counsel Fred Thompson and the unseen staff members working for them off-camera are the producers, directors, stage managers and prop men without whom the spectacle would not go on.

Backstage for the Ervin committee means the other side of the street. While the hearings take place in the Senate's colonnaded Caucus Room, across First Street the staff labors in quarters that resemble a hastily established World War II recruiting office. A huge workroom

turned professor who was picked by Ervin to be chief counsel. Early on, Dash divided the committee's franchise into three main areas of investigation: the Watergate break-in and its cover-up, the other dirty campaign tricks of 1972 and illegal campaign funding. Accordingly, he set up three sections, each with a top lawyer in charge.

A large part of the staff's time has been consumed in identifying and screening potential witnesses. Although only 20 witnesses have appeared before the committee in the televised public hearings thus far, more than 100 others have been questioned informally or under oath behind closed doors, usually in an auditorium office or in Dash's or Thompson's office. The Senators rarely sit in on these preliminary sessions, either because of the press of other Senate business or because they know that a summary of what has been learned will be distributed to them later.

Dash, 48, takes the lead in such questioning, with a large assist from Thompson, 30, a respected former Government prosecutor from Nashville who was placed on the committee by Vice Chairman Howard Baker, for whom he served as a campaign manager in 1972.

In prehearing questioning, Democrat Dash goes after the main threads of the conspiracy in classic prosecutor's fashion. Republican Thompson frequently explores lines of defense for the Administration. For a time, Thompson pursued the theory that one or more of the Watergate conspirators had been a double agent working for the Democrats—until he realized that the theory did not hold up.

When each closed-door interrogation is over, Dash works up his own summary of the witness's testimony for the guidance of committee members. In addition, he occasionally prepares memos giving biographical information, summaries of past statements and suggested questions. Thompson some-

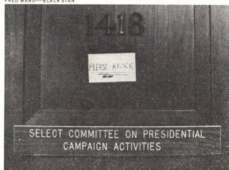
times does his own résumés of prehearing testimony for the Republicans on the committee; these are then distributed to all members. But the Senators follow very much their own leads once the cameras start to roll. Aside from a planned order of questioning, usually based on seniority, there is almost no coordination between them. As a result, many questions are repeated, and others are ignored altogether.

Despite the number of leaks from the hearings, the committee staff has maintained impressive security. Scrap paper is shredded, typewriter ribbons are cut up, tapes are locked away for the night. Until three weeks ago, when all but one of the documents in the Dean collection were declassified by the committee, only Dash, Thompson and the seven Senators on the Ervin committee were allowed access to them, and they had to read the papers in the presence of a guard, who ensured that they took no notes.

There has been little partisan dissection among the staff, mostly because of the cooperative example set by Ervin and Baker. Though staff members are occasionally disappointed with the way a witness is questioned, and often make suggestions of their own, they all must finally defer to the Senators. Staff work is demanding. Senior lawyers interview prospective witnesses, and junior lawyers help out with such questioning when they are not doubling as investigators. Dash, Thompson and Deputy Counsel Rufus Edmisten, who doubles as Ervin's right-hand man on the staff, spend little time on the Washington social scene but find wherever they go that people are full of questions—which they must nearly always refuse to answer. Ervin has imposed no hard and fast gag rule, but, says Edmisten, "he expects us to act with discretion."

With the hearings now in their most crucial phase, the Ervin committee—set up by unanimous Senate vote last February—shows every sign of bursting its seams. Three weeks ago the Senate doubled the committee's budget to \$1,000,000, and Dash has already said that its deadline of Feb. 28, 1974, may have to be extended.

FRED WARD—BLACK STAR



has been thrown together in the ground-floor auditorium of the Dirksen Office Building, with makeshift cubicles, stenographers' desks and photo-copying machines scattered about. Newsmen and everyone else unconnected with the committee are barred from the room except for specific purposes.

No fewer than 65 staff members have been working long hours lining up witnesses, culling and correlating testimony, investigating leads, feeding questions to the Senators before the cameras and generally keeping the hearings running along smoothly. The staff consists of 15 lawyers and 6 investigators, as well as secretaries, stenographers and messengers. Most of them were hired by and are ultimately responsible to Chief Counsel Dash, a criminal lawyer

Mindful of the law about suborning perjury, however, Mitchell carefully explained: "Magruder did it of his own free will. Nobody coerced him to do this." Sessions that Dean had described as efforts to rehearse Magruder on his perjury were described differently by Mitchell: "Mr. Magruder would seek an audience to review his story that he was going to tell."

As Mitchell told it, he was not part of any concerted, conspiratorial effort to cover up any of the Watergate-related activities. He and other Nixon committee officials, as well as such White House aides as Ehrlichman, Haldeman, Colson and Dean, simply shared a common view: "We weren't volunteering anything. We wanted to keep the lid on."

Precisely what was it that Mitchell wanted to keep this lid on? Repeatedly, he emphasized that he did not consider the Watergate wiretapping itself all that dangerous to the President. He was far more concerned about what he oddly, almost monotonously referred to as other "White House horror stories." By that he meant the activities of the White House plumbers, notably Liddy and Hunt.

The horrors, some of which Mitchell learned about from LaRue and another Mitchell assistant, Robert Mardian (both had talked to Liddy), included:

1) The 1971 burglary of a Los Angeles psychiatrist's office in a search for personal information on Pentagon Papers Defendant Daniel Ellsberg;

2) The spiriting to Denver of ITT Lobbyist Dita Beard, whose memo had linked a lenient antitrust settlement by the Justice Department against ITT with an ITT pledge to provide funds for the Republican National Convention;

3) The faking of a State Department cable in an attempt to blame the Kennedy Administration for the 1963 assassination of South Viet Nam's President Diem;

4) Investigations into Senator Edward Kennedy's Chappaquiddick automobile accident;

5) The wiretapping of White House aides and newsmen in a search for the source of new leaks. Mitchell said there were other such horrors, but strangely, no Senator asked if he knew of any not yet publicly revealed.

It was these activities, far more than any White House involvement in Watergate, that Mitchell claimed could have jeopardized Nixon's re-election if they became publicly known. While Mitchell felt he had fairly complete



"Remember, not a word to him about sordid political activities."

knowledge of these activities, most of which were illegal, by June 22, 1972, he contended that the President did not. And if Nixon had learned about them, he would have become so angry, Mitchell argued, that he would have exposed all of these incidents.

Except for Republican Senator Edward Gurney, who again lived up to White House expectations that he would prove to be the one member of the committee who would always "protect the President," the Senators had not been as openly skeptical or critical of any other Watergate witness. "Have you ever considered whether it was fair to the members of the opposition party or fair to the American people to conspire to keep them from the true facts of this matter?" asked Inouye. Replied Mitchell calmly: "Yes, I am sure that that subject matter has crossed my mind many, many times. But I do not believe now, I did not believe then, that the President should be charged with the transgressions of others. And it is just as simple as that."

Wholly unsatisfied, Republican Senator Howard Baker bore in with emotion. "Would you tell me, Mr. Mitchell, what is your perception of the institution of the presidency?" Replied Mitchell with a smile: "Is that part of the purpose of this committee, to ascertain from me the perception of the presidency?" Insisting that this was highly relevant, Baker asked: "Is the presidency so shrouded in mystique, is there such an aura of magnificence about the pres-

idency, is there such an awesome responsibility ... that the presidency in some instances must be spared the detail, must be spared the difficulty of situations which ... might be considered, by some at least, to be frank, open declarations of criminal offense?"

Mitchell's answer was baffling: "The President cannot deal with all of the mundane problems that go on from day to day. He had to deal with the greater problems." But then he made his point: "He should not have been involved in these matters that bore directly upon his election, and he should have been protected from the knowledge of them."

Baker: Why?

Mitchell: In the interest of his re-election.

Baker: Why is that not a presidential-grade decision? Why, of all decisions that might be made by the man, the candidate for President of the United States, why should he not be permitted to make that decision? What is it that arrogates that authority to someone else?

Mitchell: Because of the consequences that obviously flow from it ... If he were to make the decision, there would be no alternative. He would have a choice of being involved in what you all referred to as a cover-up, or he would be involved in the disclosures which would affect his re-election.

Baker (after more sparring): What is the constitutional basis for arrogating unto yourself or anyone else ... a presidential-level decision?

Mitchell: I have not found one in the Constitution, Senator ... I was not about to countenance anything that would stand in the way of that re-election.

Lame Answer. Chairman Ervin sharply disagreed with Mitchell's prediction of dire consequences had Nixon been told the truth and suggested that even if the President had "lowered the boom," his decisiveness would have impressed voters, and "he would have made his election more sure than ever." That was mere speculation, and in a way beside the point. The point was that Mitchell put the re-election of one man, however deserving, above the law.

What bothered some Senators was why, after Nixon was re-elected, Mitchell still did not tell the President what he knew about the crimes committed on Nixon's behalf. Mitchell's lame answer was that he thought the reshuffling of personnel in the new Administration would take care of the problem.

Inouye, especially, was unimpressed. He pointed out that even after Dean told Nixon everything he knew

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about who might be involved in the concealment of the crimes, and the crimes themselves, no one was immediately fired. Asked Inouye: "For the record, could you tell us where the President has really lowered the boom?" Replied Mitchell: "By his appointment of a special prosecutor [and] removing the people from the White House who were involved in the activities that were covered up."

But Inouye argued that the appointment of the special prosecutor was resisted by the White House and resulted from congressional pressure. Dean was later fired, but when Haldeman and Ehrlichman resigned, said Inouye, "the President most reluctantly accepted this and said publicly that these were the two finest men he has ever known."

Inouye: Is this lowering the boom, sir?

Mitchell: No, but it shows the streak in the President of warmth and kindness that most people have not attributed to him before.

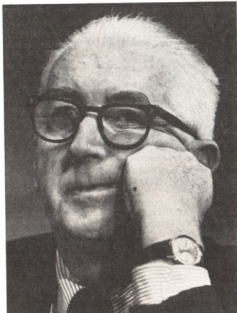
Contradictions. While the agile-minded Mitchell stuck to his basic story about the President's noninvolvement and his own reasons for keeping Nixon uninformed, his serenity dramatically and visibly ebbed whenever his veracity came under fire.

Mitchell was singled first by Democratic Senator Herman Talmadge on a subject on which Mitchell almost cockily considered himself totally prepared. The crusty Georgian mentioned a well-publicized incident from Richard Kleindienst's Senate confirmation hearings to succeed Mitchell as Attorney General in March 1972. On that occasion Mitchell had testified that he had no political duties while serving as Attorney General. This assertion seemed to be contradicted by the testimony of many witnesses, including Mitchell himself, before the Ervin committee.

Responding eagerly, Mitchell said, "I was hoping that would come up." Surprisingly, he read from an account of the hearings in the *Washington Post*—the newspaper so often assailed by the Administration as wrong about Watergate. The *Post* quotations from the Kleindienst hearings seemed to back Mitchell's contention that he was asked only about "party responsibilities" and thus, since his part-time duties were with the Nixon re-election committee, his denial of official Republican Party activity was accurate. "Let's read a little further, Mr. Mitchell," said Talmadge, producing an official hearing transcript. The next question, not included in the *Post*, was Senator Edward Kennedy's query, "No re-election campaign responsibilities?" Mitchell's quoted reply:

"Not as yet, I hope to." Actually, Mitchell's own testimony to the Ervin committee cited his frequent "consulting" role for the Nixon re-election committee before he became its director in April.

But that was only the first of what looked like several clear contradictions between Mitchell's previous and present sworn testimony. It was on the last day of his hearings that Counsel Dash, who had questioned Mitchell rather gently on the opening day, displayed his most cutting interrogation so far in the hearings. Just as Mitchell must have thought that the rough quizzing was all behind him, Dash in rapid-fire order raised four apparent Mitchell falsehoods:



WITNESS RICHARD A. MOORE
Absolutely no recollection.

1) That in his deposition on Sept. 5, 1972, for the Democratic civil suit, Mitchell had testified that neither Robert Mardian nor Frederick LaRue had reported to him any conversations that they had had with Wiretapper Liddy, except "to the extent that his service had been terminated in whatever way it was." Mitchell told the Ervin committee that Mardian and LaRue had reported extensively to him about Liddy's various illegal activities.

2) That in the same deposition he had denied having "any information as to the circumstances under which Mr. Liddy was hired" by the Nixon re-election committee. Mitchell told the Ervin committee that he had interviewed Liddy and indicated to Magruder his approval that Liddy be hired.

3) That on July 5, 1972, Mitchell had told FBI agents that the only thing he knew about the Watergate break-in was what he had read in the newspapers. By contrast, he told the Ervin committee that before July 5 he had been briefed

by Mardian and LaRue about Liddy's multiple admissions.

4) That on Oct. 5 he again told an FBI agent that he had no knowledge of his own about the Watergate break-in—again contradicting what he has told the Ervin committee. Mitchell contended last week that the topic had never come up in this telephone interview and that the FBI records "are absolutely wrong" in showing, as Dash contended, that it did.

His voice quavering and his eyes misting, Mitchell insisted that Dash's interpretation was wrong. But Dash asked a typical prosecutor's question: "Since you may have given false testimony under oath on prior occasions, is there really any reason for this committee to believe your testimony before this committee?" Replied Mitchell meekly: "As far as the determinations of this committee, I think they can judge my testimony and make their own conclusions after my appearance here."

Memory Loss. The question was similar to an even sharper earlier one from Senators Inouye and Weicker: "Would you lie at the present time to protect the President?" Mitchell said he did not have to make that choice, because the truth in this case protects the President. Assuming the question to be a hypothetical one, Mitchell said he would not lie under oath. Yet if Nixon's re-election were at stake, Mitchell had conceded earlier, he would "have to give very long and very hard thought" to whether he might commit perjury. Nixon's re-election, of course, is no longer at stake; but at the least, his ability to function effectively as President certainly is.

The next witness was Richard A. Moore, 59, a White House special counsel. Moore had been called at the urging of the committee's minority counsel, Fred D. Thompson, who in turn had been prodded into doing so by White House lawyers. Florida's Senator Gurney hailed Moore as "one of the few witnesses who have no ax to grind."

The Republicans' reasoning apparently was that the fatherly, white-haired Moore, a former broadcasting executive from California, was in a particularly good position to refute the damaging testimony of Dean. Moore had been a confidant of Dean's and had been present at many of the White House staff meetings that Dean had previously described to the committee. But under driving cross-examination by Terry F. Lenzner, the committee's assistant chief counsel, Moore proved to be a distressingly stumbling witness. Indeed, his memory loss appeared to be so formidable at times as to jeopardize the credibility of what he had to say. Example: Lenzner: I asked you [earlier today] if there was any discussion of the Democratic National Committee lawsuit or the Common Cause lawsuit, and your answer was not to your recollection. You say now there may have been?

Moore (hopelessly confused): I will

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let the answer stand—whatever it was.

In his opening remarks, Moore acknowledged that, as Dean had testified, the two men had attended a meeting with Haldeman and Ehrlichman last Feb. 11. According to Dean, the group discussed ways of raising "hush money" for the seven convicted Watergate conspirators. But Moore insisted that as he understood it the additional funds were needed for the Watergate lawyers. At the meeting he agreed to a request by either Haldeman or Ehrlichman—he was forever mixing the two men up, Moore chuckled to the committee—that Moore should go to Manhattan to ask John Mitchell to raise the money from "his rich New York friends." When he subsequently delivered the message, said Moore, Mitchell replied "something like, 'Tell them to get lost.'"

Dean had testified that as he left the La Costa Hotel meeting with Moore, he had said he was distressed that the subject of the money had come up in Moore's presence, but added that Moore "now had a very real idea of the dimensions of the situation." Moore declared flatly to the committee: "I have absolutely no recollection of any such conversation, and I am convinced it never took place."

Deep Conviction. Dean said last month he believed the President knew of the Watergate cover-up before last March 21—the day Dean had his long conversation with Nixon on the subject, and the day the President said he learned of it. Moore, on the other hand, mentioned four meetings that he and Dean had with the President in the days before March 21, and insisted that Nixon betrayed no knowledge of the cover-up on those occasions. "It is my deep conviction," said Moore, "as one who has known the President over the years and has had many private conversations with him, that the critical facts about the Watergate did not reach the President until March 21."

In cross-examination, Lenzner stumbled across a curious bit of detail as Moore described a private meeting with the President on April 19, 1973. At this meeting, Moore told Nixon that Dean had shown him a list of White House staff members who Dean believed could be indicted for one Watergate offense or another. In the case of Ehrlichman, however, Moore repeated Dean's remark that Ehrlichman's "problem might be involved with the Ellsberg case," a proposition that Moore did not understand at the time.

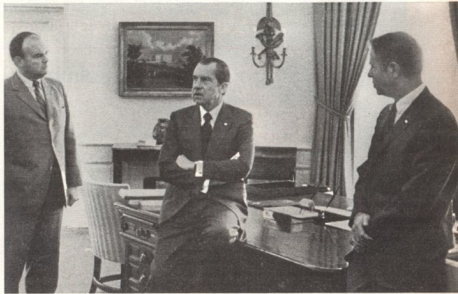
By way of explanation, the President told Moore that the investigation of Ellsberg could not have been left to the Federal Bureau of Investigation, since FBI Director J. Edgar Hoover "could not be counted on doing it because Mr. Hoover was a close friend of Mr. Ellsberg's father-in-law." Toy Manufacturer Louis Marx. Added Moore: "The point was that the White House had set up a security operation to investigate Mr. Ellsberg's activities in leaking

top-secret documents and possibly giving them to a foreign embassy of the other great superpower, and that the President said in view of the fact that Mr. Hoover would not undertake this investigation, the White House undertook it..." Had Nixon specifically mentioned the burglary of Ellsberg's psychiatrist's office by the plumbers? "No," said Moore, "he did not."

The subject has come up before, of course. John Dean testified last month that Egil Krogh, the White House assistant who had been in charge of the plumbers, had said he "received his orders right out of the Oval Office," in other words, from the President—an astounding charge that Dean himself said

he had not at first believed. The President, for his part, asserted in his May 22 statement that he had instructed the plumbers—the White House Special Investigations Unit, to be precise—to look into Ellsberg's "associates and motives" for reasons of national security. But the President insisted that he did not authorize or have knowledge of "any illegal means to be used to achieve this goal."

The Moore testimony was certainly not evidence that the President had had prior knowledge of the plumbers' felonious break-in. But it seemingly betrayed a curious nonchalance on the President's part toward questionable activities by White House staffers.



NIXON WITH EHRLICHMAN & HALDEMAN IN HAPPIER DAYS

And Much More Yet to Come

While some of the key witnesses yet to appear before the Senate Watergate committee may well back John Mitchell's story that President Nixon was long unaware of his aides' involvement in the break-in, they are expected to implicate each other as well as Mitchell in the cover-up. These witnesses include Herbert W. Kalmbach, H.R. Haldeman, John D. Ehrlichman and Gordon Strachan. Their testimony would leave the President with few wholly untarnished defenders in a position to know what the President might have known.

These witnesses have given advance testimony to the Senate committee's staff. Haldeman and Ehrlichman testified at a time when Nixon was claiming that Executive privilege prevented them from relating discussions with him; he has since waived that claim. Some of the points these men will make:

KALMBACH. Drawing on a surplus of \$1.1 million from the 1968 Nixon campaign funds, Kalmbach (see box

following page) began in mid-1969 to finance secret White House investigations. Directed by Haldeman and carried out by Special White House Investigators John Caulfield and Anthony Ulasevic, these projects included probes into the backgrounds of such "enemies" as Senator Edward Kennedy, New York Mayor John Lindsay, and House Speaker Carl Albert.

As new Nixon contributions came in, some of the money was secretly channeled into the 1970 campaigns of favored Republican candidates, including, ironically, the highly critical Watergate-committee member Lowell Weicker Jr. The money was held in a dummy organization called "the Public Institute," which dispensed some \$2.5 million. By 1971 Kalmbach was supplying funds to California Lawyer Donald Segretti, the White House-directed political sabotage agent. Kalmbach's authority to pay Segretti came from Haldeman and Dwight Chapin, former

THE NATION

White House appointments secretary.

At the suggestion of John Dean and with the approval of Ehrlichman, Kalmbach on June 29 of last year began raising money for the defense of the seven arrested Watergate burglars. By late in the year, the defendants had been paid \$460,000. Kalmbach used Ulasewicz for many of the hush-money deliveries; the two conversed from public telephone booths and used code names ("Mr. Rivers" for Ulasewicz, "the Writer" for Hunt, "the Brush" for Haldeman). Kalmbach decided to pull out of this illegal activity and did so in September 1972.

EHRLICHMAN. He will admit giving Kalmbach "perfunctory" approval to raise money for the defendants but say that he did so partly because "Mitchell had some interest in making

sure that the defendants were well defended." Ehrlichman will express suspicions, similar to those of Mitchell and Dean, that Colson had a role in pushing the Watergate wiretapping plans. But Ehrlichman will claim that he personally took no part in cover-up activities and kept urging that anyone involved "make a clean breast of it." He was told that Mitchell "effectively threw blocks" at any such disclosure. Ehrlichman will also corroborate Dean's testimony that Mitchell had reported that "blackmail" demands of Hunt had "been taken care of."

Ehrlichman has been accused of ordering the burglary of Ellsberg's psychiatrist's office, but he will deny having had any advance knowledge of it. He has said that he was told about it by Egil Krogh, who directed the plumb-

ers, shortly after the bag job was carried out in 1971. "I registered dismay and disapproval."

HALDEMAN. The least informative of all the major witnesses, Haldeman in his staff interview indicated the vaguest of memories. He will concede that he approved the hiring of Donald Segretti, but with the understanding that Segretti "was not to engage in illegal or improper activities." Haldeman will admit that he "knew in the broad sense" that his assistant Gordon Strachan received "intelligence-gathering" material from the Nixon committee and that Strachan passed some of this along to him. But as for electronic-eavesdropping records: "I have no recollection of seeing that kind of thing, but it is possible that it was sent to me."

Haldeman will concede that he

Next on Stage: Herbert W. Kalmbach

Before the Watergate scandal broke open, nearly every morning a precisely attired man walked into Coco's, a restaurant in the rich resort town of Newport Beach, Calif. Sitting down at the same corner table, he picked up the morning newspaper and began sipping his coffee. After a polite pause, he was approached by local businessmen and politicians, who, one by one, stated their business, received their reply, and moved on so the next man could have a chance. The ritual sometimes took as long as 2½ hours.

All appearances to the contrary, however, Herbert W. Kalmbach in those halcyon days was neither a political boss, a godfather of the Mafia nor the local bookie. He was President Nixon's personal lawyer and one of the best connections between California and power centers in Washington.

Though "recently he has kind of been disowned" by the White House, as one Nixon aide puts it, Kalmbach, 52, has long been one of Nixon's most loyal supporters. "He thinks Nixon is the Lord himself," says Don Kennedy, president of an insurance company Kalmbach worked for in 1961. Kalmbach first worked for Nixon in the 1960 presidential campaign and was a fund raiser in the disastrous gubernatorial race two years later. "He was constantly at Nixon's side, puffed up with authority and having complete say how and when the money was to be spent," says a colleague from those days. In the lean years that followed for Nixon, he stood fast as one of the few true believers, and as early as 1967 he helped Nixon start up his second presidential campaign.

Offered a job as Under Secretary of Commerce, Kalmbach decided instead to return to Newport Beach and the law practice he had set up in 1967.

It was a profitable move. Starting off with only four attorneys, Kalmbach, who had little reputation as a lawyer, built his firm into one of California's, and perhaps the nation's, most successful. He rapidly acquired an impressive roster of clients: the Atlantic Richfield Company; United Air Lines; the Travelers Insurance Company; the Flying Tiger Corporation; Dart Industries Inc.; the Marriott Corporation; MCA Inc., which produces perhaps 40% of prime-time TV shows; and the California Federal Savings and Loan Assn.

Kalmbach's law firm, which now has 26 lawyers and penthouse offices in Los Angeles as well as an office at Newport Beach, is famous for its ability to get quick, and often favorable, rulings from Government agencies. "I've been to meetings with Kalmbach attorneys

in which an IRS agent would be there to explain things," marvels one client. For Client Richard Nixon, Kalmbach was a personal tax consultant, and he arranged the still mysterious, highly favorable deal by which the President acquired his San Clemente estate.

The Kalmbach family moved to Pasadena from Michigan (his father had died) when Herb was a young teenager. Frank Clement, who became his best schoolboy friend, remembers the new comer as "a free and loose kid, an absolute nut... with the guts of a burglar." Of Germanic origins, Kalmbach was a fleet, childish admirer of Hitler before World War II broke out, writing some stories about the Reich in the school paper. Remarkably, he was one of four finalists in a design competition for an airplane de-icer that the U.S. needed, even though, recalls Clement, he was only 13 or 14 when he submitted his idea.

Kalmbach was a late graduate (1949) of the University of Southern California and its law school (1951), because his college career was interrupted by wartime service as a Navy pilot. He is remembered at U.S.C. as a rabid football fan who rarely missed even practice sessions.

Before he left college, Kalmbach married a pretty U.S.C. Rose Bowl princess, and he and his wife Barbara now have two sons, Kurt, 23, and Kenneth, 19, and a daughter, Lauren, 21. The Kalmbachs live in a \$100,000 house on a bluff overlooking upper Newport Bay, where their neighbors and friends include the President's brother Donald and Actor John Wayne. Kalmbach's sport is golf.

After a conversation with Kalmbach, acquaintances say, a person always has a precise understanding of the situation. This week the Ervin committee—and the public—will be looking for just that precise understanding of the money side of Watergate.

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THE NATION

knew the Watergate defendants were getting payments, but will insist that "I don't recall that there was a rationale given regarding taking care of the legal fees or why it was necessary at that time, or the fact of paying for all of them." He said that the need for money was mentioned to him by Dean, but "I do not have actual knowledge that any money Kalmbach raised actually went to the defendants."

STRACHAN. Strachan, serving as a liaison between his boss, Bob Haldeman, and the Nixon committee, will testify that Jeb Magruder sent him written reports shortly after the Watergate wiretapping plans had been presented by Magruder to John Mitchell in Key Biscayne on March 30, 1972. A Magruder letter indicated that the plans had been approved and attachments detailed the electronics eavesdropping and burglary plans. Strachan is certain he passed the letter from Magruder along to Haldeman, but he is not certain that he included the detailed plans. Strachan will say that he assumed that he had, however, since Haldeman showed no surprise when the Watergate arrests were revealed. Haldeman, according to Strachan, at one time asked him to insure that Senator Kennedy be kept under 24-hour surveillance.

Meanwhile, another source of potentially serious problems for Nixon is only just developing. TIME has learned that the Senate investigators are seriously probing the possibility that Republican campaign funds might have been used to help purchase Nixon's San Clemente estate. The possible sources being eyed are \$1.6 million left over from the 1968 presidential campaign and the secret Public Institute funds raised by Kalmbach. Kalmbach insisted to TIME last week: "Not a dime of campaign money went into San Clemente." Complicating matters is the fact that there actually were two Public Institutes with Republican money, one in New York City and one in Washington. Senate investigators say that the Washington funds were controlled by Haldeman and Colson. One of the signatories for the New York Public Institute, TIME has learned, was Thomas Evans, a partner in the Manhattan law firm in which Mitchell and Nixon had also been partners (the firm is now known as Mudge Rose Guthrie & Alexander).

What the Senate investigators would like to secure is a brown leather satchel containing records of that Washington Public Institute. TIME has learned that Colson received those records from former White House Aide Jack Gleason. Dean testified that he got the reports from Colson. The brown satchel is apparently now locked in Dean's White House safe—and the papers it holds are among those that Richard Nixon does not want the Senate committee to see on the grounds that this would violate "the separation of powers."

THE PRESIDENCY/HUGH SIDNEY

Disarray in the Government

"I eat lunch in the White House mess in 25 minutes," lamented a White House aide last week. "Everybody is afraid to talk. So the only thing you can do is bury your head in your soup."

"I heard [Secretary of Agriculture Earl L.] Butz was thinking of resigning, and when I heard that, I got right on the phone to tell him not to do it," said Iowa Congressman Bill Scherle, standing outside the House chamber during a debate on the farm bill. "He's our friend. If we lose him we lose a lot."

"I heard some of the stories about George [Secretary of the Treasury Shultz] leaving, so I called up Sunday night, and it was only 8 o'clock and he already was in bed exhausted," a friend said. "He'd been working all day at the office. I'm concerned."

"Everything has stopped," declared a frustrated Washington attorney. "We've got stuff over in Antitrust and at Treasury. We can't get any decisions. And at the Price Commission it is hopeless. We've got a raft of exceptions we're trying to get settled from Phase II."

"We've been trying to get the St. Louis airport straightened out for months," mused a senatorial assistant. "They need more facilities there. The question is whether they should expand Lambert Field or whether they should build another airport over in East St. Louis in Illinois. First John Ehrlichman had it, and he said he would make a decision. You know what happened to him. They told us the decision was in the hands of Egil Krogh, the new Under Secretary of Transportation. You know what happened to him too. Now there is a new man, I can't even remember his name."

"We don't know where to go for direction," sighed a White House staff assistant. "We've got the President's daughter being contradicted by the press office, and then she contradicts them. Our new lawyer, Fred Buzhardt, issues a memorandum, which is immediately disavowed by the press secretary."

"I ran into a friend of Melvin Laird's [the new White House domestic czar] out West, and he felt Laird would be cut in a couple of months," said a Washington lawyer.

These are the voices of Washington now. Some others:

"It is more serious than I ever remember it ... It isn't just people sitting in front of their TV sets and watching the Watergate hearings. It is deeper than that now. There is a tremendous uncertainty ... My friends want to leave not because of Nixon so much, but because nothing has happened ... I can see now that I'm not going to be able to accomplish much. Would I be disloyal if I left at the end of the year? ... I keep hearing how hard it is to get the President's attention."

Mel Laird, Bryce Harlow, the new White House political operative, and Al Haig, the chief of staff, are fighting this crushing weight of discouragement. So is Nixon in a way, but he remains a distracted—and now ill—man. ("How do we get him out of that cocoon?" worried one White House official last week.)

An expanded meeting of Republican congressional leaders marked one small step for the better. Nixon asked for advice on the economy, and he listened. There was Illinois Senator Charles H. Percy, heretofore considered a White House enemy, warning about an onslaught of angry American tourists who are finding out how diminished the dollar is overseas, urging productivity councils, a flexible investment tax credit, spending cuts. Percy got it all out, and driving back to the Hill with G.O.P. Chairman George Bush, he felt better. So did Congressman Les Arends, who reported on the problems of farmers from his Illinois district. Texan John Tower thumped for the need to increase beef production. New Hampshire's Norris Cotton told the story of how a farmer drove 100 miles to talk to him because he thought Cotton was close to Nixon and could deliver the message. Well, now he could. We once paid farmers to kill animals, the fellow told Cotton. That was wrong. Why don't we turn it around now, do something to build up supply instead of restricting it?

Big John Connally, the disenchanting counselor, was there, back in the fold ("He nodded wisely a couple of times," reported one participant), and so was the disheartened George Shultz, ready to trudge on. The ripples from such meetings can in the long run change the Government and the nation. But is it too little and too late? Richard Nixon's Government is for now an ocean of despair.



OPINION

Impeachment: "Fear of the Unknown"

The nation's emotions about Richard Nixon and Watergate are almost as complex and contradictory as the testimony in the Senate. In a Gallup poll taken in the wake of John Dean's devastating appearance, fully 71% believe that the President was involved in either the planning or the cover-up of the Watergate break-in. If Nixon was indeed involved, then he is guilty of criminal acts that would presumably be grounds for impeachment. Yet the same survey showed that only 18% think Nixon "should be compelled to leave office."

Last week, in dozens of interviews across the nation, TIME correspondents explored attitudes about possible presidential involvement and what should be done if Nixon is indeed culpable. They found that there is indeed a dominant feeling that the President was involved in one way or another. Yet there is also a deep fear of the national trauma that long and messy impeachment proceedings would probably cause.

Tom Sullivan, a retired J.C. Penney executive in Anaheim, Calif., was especially hard on the President. "I think," he said, "that the whole break-in was discussed and planned with Ehrlichman and Haldeman and that Nixon approved it. But as for impeachment, I just don't know. When other countries overthrow the government, it's chaos. I personally think he should be watched closely for the rest of his term." Paul B. Wynett, a Georgia advertising man, wonders: "How could all those people be doing all those things without his knowing about it? But the best thing to

do is forgive and forget. If this had to happen, I think it will enlighten people and let them know that big old red, white and blue balloon can burst."

Bennett Webster, a lawyer and Republican county chairman in Iowa, may have an accurate instinct for popular sentiment: "The majority of people feel impeachment is too drastic, that the country can't stand it. It's more a fear of the unknown than anything else—a deep-seated fear of a radical proceeding." Says Thomas Campbell, a professor of history at Cleveland State University: "An impeachment process would disrupt the country, and we can't afford it. I'm concerned about other problems in the country—the monetary crisis, the food and housing difficulties—and we need leadership. A long impeachment would leave us leaderless."

U.S. Prestige. Many feel that a resignation or impeachment would irreparably damage U.S. interests in the world. Says Kurt Ogg, a Middlesex, N.J., accountant: "I'm sure he knew about the cover-up. But resignation or forcing him out would take away from U.S. prestige abroad." He and many others cited Nixon's achievements in ending the war and improving relations with China and Russia.

Many who believe Nixon participated in the cover-up and do not think he should be impeached are fearful of an Agnew presidency. Many Democrats would not want to see Agnew inherit the presidency because that might place him in a strong position for election in 1976. Decision Research Corp., a New England polling organization, explains

that "the seriousness of the whole idea of impeachment, and of Agnew taking over, accounts for the large number of people who think the President was involved but are unwilling to advocate impeachment."

Some argue that even if Nixon is guilty of the cover-up, it is nothing new. According to Beth Gendusa, a New Orleans housewife: "That sort of thing [Watergate] is done in business and industry every day."

Nixon still has many defenders. Judy Peterson, a teacher in Clinton, N.C., regards Dean as "a slick little liar." She blames Haldeman and Ehrlichman for not telling the President the whole story. "But my God," she adds, "if you'd done something that stupid, wouldn't you hate to tell your boss?"

Some Nixon defenders make a complexity of distinctions. As Morey Spencer, a Kansas City, Mo., millwright, sees it, "Nixon knew at least about the cover-up. But I don't think he's done wrong. He's the victim of his assistants. He got caught in a trap." Says Robert Redfearn, the president of a food company and a Georgia Republican: "Watergate has been blown all out of proportion. It has to be looked at in the context of the times. People were doing similar things of a similar nature. Ellsberg was stealing secret papers. People were burning draft cards. Nixon had alienated the liberal press and had a hostile Congress. What I do fault the President for is being so insulated."

While there is a minority defending Nixon, another minority, either in sadness or in anger, strongly believes that he should resign or be impeached. "When one discovers a brothel," says Mrs. Nan Pendergrast, a Georgia housewife who supported George McGovern, "one seldom finds the madam is a virgin." Joe Wilson, a black construction worker in Atlanta, says wearily: "I think Nixon is bad—look at all that money they spent. It could have been given to the poor." Mary Kemmit, an elderly Bostonian with an Irish brogue, fumes: "It's been like this ever since he's been in politics. Look at what he did when he lost out before—You won't have Nixon to kick around any more," he says. Well, it's a pity that they don't kick him now while they have him." Says Mrs. Susan Block, a liberal St. Louis housewife: "It seems that a man must commit murder before we think he

PETERSON



GENDUSA



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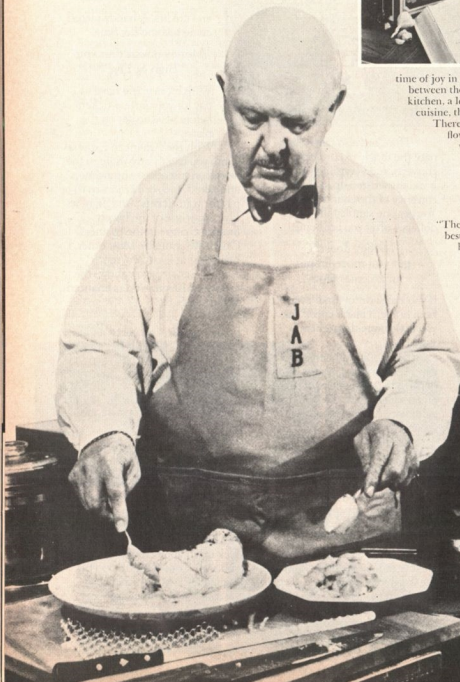
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should be impeached. Well, Nixon may have murdered the political system."

Larry Robinson, owner of a Cleveland jewelry chain, states his case for impeachment emphatically: "If he was not aware of Watergate, then he is an incompetent administrator. If he was aware, then he was breaking the law."

At the moment, however, most Americans clearly agree with Robert Block, a Los Angeles Democrat and investment banker: "I don't believe that impeachment is a workable solution. We have to look at Watergate, perhaps, with the idea of revising our structure so that this can't happen again. My great concern is to keep the country glued together, to make sure the ship doesn't take on so much water that she sinks."

RACES

Abernathy Steps Down

Shortly before his assassination in 1968, Martin Luther King Jr. told his constant alter ego and right-hand man, the Rev. Ralph Abernathy, "Ralph, whatever happens, keep the team together." Last week, his shoulders sagging and his voice an emotion-charged bass, Abernathy stood before King's tomb on Auburn Avenue in Atlanta and spoke to his fallen mentor: "I did what you asked. I tried to keep the team together. I hope you can find it in your heart to forgive me for resigning this day. I'll see you in the morning."

After five frustrating years of trying to sustain an activist organization with a rambling, country-preacher leadership style, Abernathy had resigned as president of the Southern Christian Leadership Conference. His reason: lack of financial support.

In its heyday, King's S.C.L.C. could raise as much as \$2,000,000 for one year's operating expenses, primarily by skillful use of one of the country's best mailing lists (208,000 names) aimed at white liberals in the North. But public interest in civil rights waned, and this year, after radical staff cuts and a sharp paring of field projects, S.C.L.C. was trying to operate on a budget of \$500,000. Last week Abernathy announced that the organization was \$50,000 in debt. He blamed the deficit largely on indifferent middle-class blacks who "feel that they have 'arrived' simply because they now occupy high positions, but will not support S.C.L.C. financially." He added: "It is hard to ask for money from white people because you can't beg a man and fight him at the same time."

Abernathy also disclosed a rift between King's widow and the organization he left behind. Coretta Scott King has devoted most of her considerable drawing power as a fund raiser to gathering donations for the Martin Luther King Jr. Center for Social Change, a research library and memorial to her slain husband. A modern four-block complex to be built only two blocks from the di-



CORETTA KING WITH RALPH ABERNATHY IN MEMPHIS IN 1968

A deficit partly due to indifferent middle-class blacks.

lapidated S.C.L.C. headquarters on Auburn Avenue, the center is expected to cost over \$6,000,000. Abernathy said Mrs. King had been unwilling to share funds with his strapped civil rights organization. King's onetime firebrand protégé, Hosea Williams, criticized her for not sharing \$67,000 raised earlier this year at an Atlanta benefit concert featuring Flip Wilson and José Feliciano and recorded by RCA Records, with a \$50,000 advance to the King Center.

At next month's national convention, S.C.L.C. must name Abernathy's successor, and already a logical choice looms: Coretta Scott King.

■ ■ ■
The population of Atlanta is only 52% black, but 80% of its schoolchildren are black. To stem the continuing white flight to suburban schools (4,686 white elementary students left the system over the past year), the local N.A.A.C.P. chapter struck a compromise in a 15-year-old desegregation suit against the Atlanta school board that leaves over half of the city's schools virtually all-black and could become a model for other cities seeking to skirt extensive busing of schoolchildren. In return, the school board guaranteed the hiring of Atlanta's first black superintendent and other high-level black administrators. Outraged by the trade-off, which he sees as a dangerous precedent, N.A.A.C.P. Executive Director Roy Wilkins last week gave the Atlanta chapter 30 days to reverse its position or face revocation of its charter.

YOUTH

The Return of the Gang

Among the phenomena of the 1950s was the rise of the violent urban gangs with their freewheeling, sometimes lethal "rumbles" in protection of their "turf." By the mid-'60s, gangs seemed to be on the wane, their vital energies either drawn into the protest movements

of that era or sapped by the burgeoning drug culture.

Now in several of America's largest cities, the gangs are back—and with some ominous differences. Older, better armed, more sophisticated, the gangs today operate in all too deadly earnest. New York City has had 27 gang-related murders reported this year—ten of them in the seething South Bronx, where 877 gang arrests have taken place in 1973. In Chicago the gangs have largely graduated to big-time crime as profiteers in guns, extortion and gambling. Los Angeles has nearly 200 gangs, more than 40 of which are black or Chicano. Their clashes have caused 16 deaths this year.

Nowhere are the new gangs more virulently active than in Philadelphia, where over half of all violent crime in the city is committed by juveniles; in the past five years 191 youngsters have died in gang wars and gang-related assassinations. TIME Correspondent Barrett Seaman spent some time on the streets of the City of Brotherly Love and sent this report:

In Philadelphia, a gang is called a "corner," and a gang leader is a "runner" or a "checkholder." Smokey, aged 19, dressed in a flaming red shirt and matching narrow-brimmed hat, is the runner of the Montgomery corner, and he is expecting trouble from the Norris Avenue corner, whose turf is just across Berks Street. "I keep everybody together, plan any action we might take," he explains coolly. Just then a corner member, who looks to be no more than nine or ten, points a finger and yells: "Three dudes coming up. Looks like warrrin' time." As the three enemy youngsters cross into no man's land, twelve of Smokey's gang set off at a run to intercept them. No weapons are visible yet, but the mood is ugly. Fortunately, a cruising police car happens by before the two groups collide, and the antagonists melt into studied casual poses. "They know there's gonna be trouble," ob-



BIG BOSCO (LEFT), SMOKEY & MONTGOMERY STREET GANG MEMBERS



GANG WARRIN' BETWEEN MONTGOMERY & NORRIS STREET CORNERS

serves a Montgomery. "Norris is gonna move on us tonight, and the Man's got the word."

The Montgomeries and the Norrises are among the estimated 100 to 200 gangs that roam the black neighborhoods of West and North Philadelphia. Most of the gangs have memberships of no more than 30 or 40 teen-agers, and in some cases their territory is quite literally no more than a corner or a block at best. The rules of sovereignty—and survival—are strict. The difference between life and death can often depend on whether a boy walks on one side of a street or the other. Forays by an individual or a group into the territory of another gang are a justifiable cause for all out combat. The slightest provocation—a little back talk in a school corridor, a random surreptitious glance at the "sister" of another corner, a taunting gesture from a block's distance—can plunge corners into a war that may last for two or three years.

Some gangs, like the Twelfth and Wallace corner and the Twelfth and Poplar, are perpetual enemies simply because they are immediate neighbors. Other gangs "pull with" each other, living in peace side by side and making common cause against more distant gangs. North Philadelphia's Valley gang is in fact a giant entente of corners boasting nearly 1,000 members.

Some gangs are simply natural aggressors. The Norris Avenue corner is such a group of "crazies." Though the gang is small in number, each Norris is reputed to have two or three "bodies" under his belt. "Getting a body"—shooting someone in another gang—is the surest way a younger member has of "getting a rep" and climbing in the corner hierarchy. If he survives, by age 17 he is already an elder in the gang world and can gracefully step down from active combat in order to permit those coming up to do the corner's fighting and earn, in turn, their "reps." Serving a term in jail also boosts a mem-

ber's reputation, and many gangs exploit that fact as a means of getting the youngest members to take the blame for the crimes of older boys—knowing a 14-year-old is likely to be treated more leniently in courts.

Gangs are an old, established ghetto institution in Philadelphia; indeed some of them claim an identity that goes back 40 years, and some have been at war with the same opponent for as long as 30 years. But the advent of guns in large quantities in the late '60s changed the character of corner warfare and sent the hazards and the casualties zooming. Oddly enough, the guns have also served to reduce the scale of the actual combat, and all out melees between two gangs—*West Side Story* style—are now rare.

Modern Corners. A car with two or three gang members might come cruising down a street past a group of rivals and suddenly a shot is fired into the cluster. The car speeds off, leaving a 16-year-old lying on the sidewalk. Or a sniper's bullet from a rooftop a block away may have the same result. Plans for revenge are made, and a single assassin is often sent out to get a body in return. Such guerrilla-style warfare is, of course, far more difficult for the police to anticipate and stop than the old-style, large-scale rumbles.

To cope with the modern corners, the police have set up a special force, known as Gang Control, that is composed of 71 men and women. They work in two-officer teams, each team concentrating on a particularly active gang and trying to get close enough to the gang's leaders to sense when real trouble is brewing. "We turn the block every half-hour," explained one Gang Control officer, but "it only takes a few seconds to start a flare-up." The city has made one attempt to rid the gangs of their guns by offering a moratorium on weapons' arrests—but the attempt failed dismally. The teen-agers simply did not believe the offer was honest. "As

soon as you walk in the door," said one leader, "they'll bust you."

Some of the new gangs in New York are animated by antidrug vigilantism; often they were formed specifically to run drug pushers out of their neighborhoods, and most of them severely punish members caught using heroin or cocaine. There is little evidence of this in the Philadelphia gangs. That is partly because drugs seem to be less prevalent there. As one young member explained succinctly, "You can't nod and gang-war at the same time." When not warring, drinking wine and listening to records appear to be the gangs' principal definition of a good time.

The city's efforts to ameliorate the brutality of gang life and the gang neighborhoods have had mixed results. Of the nearly 200 Youth Conservation Workers that the city assigns to the gangs, few have been markedly successful in weaning youngsters away from their corners. Civic volunteers have established a leaders' council for settling gang disputes nonviolently. The meetings, however—scheduled for at least once a week—are so far taking place less than once a month. A North Philadelphia communications center called The Network tries to correct dangerous false rumors and get gang members into job-training programs. "The problem is solvable," says Mayor Frank Rizzo, "but it won't be done in my lifetime. I'd like to go out and raze every building out there and rebuild it all—schools, pools, parks, everything. But we don't have the money to do that."

Getting out of a gang can be difficult. Big Bosco would like to retire; he was the leader of the Montgomeries before red-shirted Smokey took over the running of the war with the Norrises. "I'm trying to get out of it," he says, "but Norris says they're gonna kill me, so I might as well stay in for the self-protection." Big Bosco, elder statesman in search of retirement, is 18 years old.

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DIPLOMACY

Europe's Look at the U.S.

Whatever else Watergate critics say about President Nixon, they have usually been willing to concede his mastery in foreign relations. But these days Europeans are beginning to doubt Nixon's wisdom even in foreign affairs—at least in Europe. While Nixon and Henry Kissinger still call for a bold New Atlantic Charter, a host of anxieties about America's intentions plague Europeans.

They are particularly troubled by the new chummy atmosphere between the U.S. and the Soviet Union. At the Conference on Security and Cooperation in Europe, held in Helsinki and attended by 35 Foreign Ministers (TIME, July 16), the Europeans openly voiced their suspicions that Nixon may have made too many concessions to Soviet Leader Leonid Brezhnev. They suspected that Nixon gave in to the Russians on such issues as mutual—but not necessarily balanced—troop withdrawals and nuclear de-escalation.

Typical of how widespread are European suspicions was a proposal made by Rumania's President Nicolae Ceausescu in May that lesser countries on both sides might have to band together to avoid becoming the hapless victims of the two superpowers. Though the idea struck Italians as overly suspicious then, TIME Correspondent Jordan Bonfante now reports that "since the summit and Helsinki there seems to be a new wave, or at least a sizable ripple, of comparable misgivings among the Italians too."

First Taste. West Germany fears especially the Nixon-Brezhnev Agreement on the Prevention of Nuclear War, which calls for urgent bilateral consultations in the event of the risk of nuclear war, but provides for only subsidiary talks with America's European allies. Chancellor Willy Brandt got a first taste of the agreement when he received no more than a vaguely worded letter from Nixon only 48 hours before the agreement was signed. From Bonn, TIME Correspondent Bruce Nelan reports that "the reaction to the nuclear agreement was a collective gasp in Western Europe. Almost everyone believes that De Gaulle is now vindicated in his view that the U.S. would not risk nuclear destruction to defend Europe or risk New York to save Hamburg."

No one is saying whether the French would be any more eager to put Paris on the line for Berlin. At any rate Europeans are anxious to have assurances of a U.S. nuclear umbrella. It was partly to allay that anxiety that Washington invited West German Foreign Minister Walter Scheel to Washington last week

for hastily arranged talks with Nixon and Kissinger. Scheel presumably re-emphasized German fears that the Nixon-Brezhnev agreement robs NATO of nuclear credibility and opens the door to Soviet blackmail.

Less ostensibly perturbed about America's motives, British officials nonetheless have their own fears. They are especially disappointed with Wash-

ington at work in the U.S.-Soviet détente—something along the lines that Moscow would overlook Watergate if Washington forgave Prague." Says Critic George Steiner: "There is an absolute conviction that to overcome his terrible weakness Mr. Nixon sold everything to Brezhnev. It would never have happened in a confident White House." Or, as one British official told the *New York Times's* Anthony Lewis: "The contempt the Nixon Administration has shown for its own society inevitably raises questions about its attitude in foreign relations."

As seen from Washington, the Eu-

CUMINGS—LONDON DAILY EXPRESS



"Is Russia about to become the 52nd State of America, or Mr. Nixon to become Vice President of Russia after he's fired from the White House?"

ington's failure to demand more concessions from the Russians. TIME London Correspondent William McWhirter reports that while British officials have been pleased with the frankness of U.S. briefings about the Nixon-Brezhnev talks, "they remain cynical, suspicious and disenchanted about the haste with which the U.S. traded away its own leverage over Soviet policy. It seems to the British that the Communists now have a short-term license to ruthlessly consolidate power within their own bloc—without fear of U.S. interference."

An example cited by the British of America's permissive attitude toward the Soviets was the performance of Secretary of State William Rogers at the Helsinki conference. Britons tartly note that Rogers made scant mention of the need for freer movement of people; they disparagingly compare his mild remarks to the tough stand taken by British Foreign Secretary Sir Alec Douglas-Home. "It is as if," reports McWhirter, "the British see a crude trade

ropean attitude is irritating for three main reasons:

► **Excessive suspicion.** For Europeans, who see themselves caught between two superpowers, it takes only a little imagination to invent innumerable diabolical theories to explain every American action, no matter how straightforward or innocent.

► **Inconsistency.** Only a few years ago, France's General de Gaulle was still breaking the ice for the West in Moscow. Now that the thaw is on, Europeans have performed a complete turnaround. Where they once damned the U.S. for risking war because of its cold war policy, they now go out of their way to pick apart Washington's motives for seeking a détente. Complaints about allowing Moscow to consolidate its hold on Eastern Europe are partly unrealistic; it has been evident for years that very little—short of war—can be done to dislodge that hold.

► **Inability to unite.** European nations complain that they are being treat-

THE WORLD

ed separately and as lesser powers by the U.S. But they have failed to get together in a united Western Europe grouping that might deal on more nearly equal terms with the superpowers and maintain its own united nuclear force.

Mutual irritation aside, there are some genuine conflicts between the U.S. and its European allies, foremost among them the instability of the dollar (see *ECONOMY & BUSINESS*) and the presence of 313,000 U.S. troops on the Continent. International Affairs Expert Michel Tatu of *Le Monde* recently wrote that U.S. insistence on Europe's increasing its financial support for U.S. troops stationed in Europe "makes the G.I.s in West Germany look even more like Europe's mercenaries, which is insulting to the dignity of both parties." Why should Europe not say to the U.S. President: "Admit that your troops are not in Europe out of love but because you have vital interests here." The U.S. could then fix a time limit for withdrawal gradual enough to enable Europe to take up the slack.

Henry Kissinger wants to link future negotiations about the U.S. military presence in Europe to trade concessions. But in the current atmosphere of waning confidence, Europeans are increasingly resisting, suspicious and overly sensitive to the slightest nudging by Washington. TIME Correspondent David Tinnin reports that Kissinger's unkindest critics have already begun to claim that he is determined to keep Western Europe "in line" in much the same highhanded way that Brezhnev keeps his despotic hold on the East. Though this is clearly exaggerated, it nonetheless represents a foreboding element in Europe's new view of Washington. If allowed to harden, such attitudes could make "the year of Europe" a fiasco.

BERLIN

Anger at the Wall

East and West may talk of détente, but along the Berlin Wall the dominant sound is still the staccato of the machine gun. Almost every night the "Grepes," East Germany's infamous border police, turn on their searchlights and open up at a fugitive real or imagined, who they think is trying to cross into the West.

When the Grepes began firing long, sustained bursts last week, several hundred residents of the French sector rushed to their windows and balconies to watch the tragic drama below. On the death strip, which at night is always illuminated with high-intensity floodlights, three people were running for their lives. One was cut down, and the other two were captured before they could get to the Wall. All three were hauled roughly away.

Angered by the brutal scene, several residents ran onto the soccer field separating the buildings from the Wall. Some started tearing out concrete slabs with their bare hands. Others joined them, and soon some 300 men, women and children were at the Wall, screaming their frustration and anger at the hated Grepes. A hole six feet wide was ripped out of the barrier, and several young men prepared to assault the other side. Their impotence was quickly made clear, however, by an East German soldier, who pointedly reloaded his submachine gun and aimed it at their faces. Scattered shouts of "murderers," "criminals" and "swine" changed to a rhythmic chant of rage and frustration. Eventually West Berlin police arrived and told the crowd to go back to bed. "Ah, they were great, these Berliners, just great," exclaimed a French

military policeman who was there.

The French commandant, speaking for his British and American colleagues as well, protested the incident, particularly he said, "when so many people in Europe hope for a lessening of tension." Added the *Berliner Morgenpost*: "The spirit of Helsinki may wave where it wants, but it is not waving in and around Berlin."

U.S.S.R.

Read No Evil

With each passing month, the Soviet Union seems to loosen a bit more the closed attitude that for years epitomized its contacts with the West. Internally, however, the walls of official censorship between the Russian government and its citizens are as high as ever—with little likelihood of their coming down in the near future. According to a secret Soviet directive to all media editors and censors obtained by TIME, there remains in Russia a multitude of subjects that cannot be printed or transmitted by radio or TV without prior approval of the requisite authorities.

The directive, dated 1970 but still in effect, censors discussion of many things that are commonly and openly discussed and debated in the West. These include all statistics on crime in the Soviet Union (including the number arrested and convicted in any given year), "the number of uncared-for children, the number of people engaged in vagrancy or begging."

In the judicial area, almost nothing passes to the public without prior censorship. Publication of information about closed-court proceedings is forbidden. Though most Russians have heard about labor camps, the directive takes special pains to ensure that they do not read about them. Censorable subjects include "information about the existence of correctional labor camps," "facts about the physical condition, illness and death rates of prisoners" and "information about extraordinary events in the camps such as suicides and illnesses."

Other Areas. Military personnel problems are also censored. No information is to be disseminated, without permission, about "dissatisfaction among the military personnel, [which is] provoked by material conditions and feeding of the men." Other areas of censorship: medicine (no mention of "illness in the population from cholera and plague"), wages (no discussion of how much foreigners working in the U.S.S.R. earn), and accidents. The directive orders censorship of any mention of accidents involving aircraft, ships or autos.

Also banned is "information about the consequences of earthquakes, tidal waves, floods and other natural calamities" and "information about the number of fires and their victims."

CHILDREN PEERING THROUGH HOLE TORN IN THE WALL BY ANGRY WEST BERLINERS





Death in the Air: Fire and Fumes

The pilot's voice was calm, almost as if he were describing the sights of Paris to his 117 passengers. "I have mechanical trouble with my engines," he told the control tower at Orly Airport. The control tower at Orly alerted all rescue units and prepared for an emergency landing by the crippled craft. The alert was in vain. Only a minute and a half before its scheduled landing, the Brazilian Varig Airlines 707, which had flown from São Paulo and Rio de Janeiro, crash-landed in an onion field 2½ miles from the airport.

The landing left the plane remark-

ably undamaged—but only for a few seconds. Deadly fumes from the plane's synthetic interior probably killed most. Fire, so intense that it melted the roof of the plane, took care of the rest. In all, 122 of the 134 people aboard died, most of them Brazilians. Among the victims were Filinto Muller, president of the Brazilian Senate and head of the ruling party, and two popular musicians, Agostinho dos Santos and José Iglesias. Only those in the cockpit and the first few rows of seats were spared. Of the twelve survivors, eleven were crew members who were stationed at the

front of the plane; unlike the passengers, some of them apparently had protective smoke masks. Six other crew members died.

Stunned, Captain Gilberto da Silva gave a rescuer his tie. "I won't need this," he said. "I am going to die." He was wrong—though he was seriously injured—and authorities at week's end were anxiously awaiting his report. Early speculation was that the fire had started in the rear toilet section of the aircraft, possibly from a short circuit. If the pilot could have kept the plane airborne for only 90 seconds more, said Orly officials, their fire equipment might have quickly doused the flames and saved many lives.

BRITAIN

'Tis Pity . . .

There will, it was made plain last week, always be an England, an England where a gentleman should always know the right thing to do—even when he is a minister of the Crown and lolling naked on a bed with a prostitute or two. Last week one of the Queen's Lords of Appeal, Lord Diplock, made a distinction between right and wrong with a whore exquisitely clear in his report on the national-security aspects of Britain's latest sex scandal.

In May, two ministers of the Conservative government—Earl Jellicoe, Tory Leader in the House of Lords, and Lord Lambton, parliamentary Under Secretary of Defense for the Royal Air Force—resigned after it was disclosed that they had been patronizing London call girls. In the report of his investigation on this matter, Lord Diplock very carefully weighed each minister's indiscretion on different—oddly different—scales. Jellicoe, it was pointed out,

used only "escort agencies" advertised in the London papers, dealt with the girls under an assumed name and never "spoke to them of anything remotely related to his work" as a minister. Moreover, said Diplock, with a fine legal eye for delicate distinctions, Jellicoe took the prostitutes home to the privacy of his own bedroom. "He entertained them to a meal, and any sexual intercourse took place late in the evening and at his own flat and never elsewhere."

On Film. As for Lord Lambton, that was a more serious case. According to Diplock, Lambton indiscreetly and unwisely paid for his whoring with checks signed in his own name and went openly to a prostitute's apartment, where he was filmed "naked on a bed with Norma Levy and another girl, both also naked." Worse yet, Lambton combined pot with his pokies. Marijuana or cannabis—for those readers of the report who might never have heard of it—was described as "a soft drug which produces changes in mood and perception and gives a feeling of irresponsibility." Dip-

lock added that there was "photographic evidence," involving Lambton, "of sexual practices which deviated from the normal."

Not that there is much wrong with normal sex, Diplock ruled magisterially, even for men in high places. "If all that is involved is ordinary sexual intercourse with prostitutes, this is no criminal offense." The security risk seemed relatively minor. Declared Diplock: "Such indiscretions are more likely to occur in the kind of conversation that takes place at cocktail parties or around a dinner table than in what might be said to a prostitute in bed." In Lambton's case, whatever security risk there was existed not so much in bed but behind the walls, where cameras and tape machines were recording instant history. Here was the danger that blackmail material might find its way into the hands of foreign intelligence agents.

Diplock's lesson, then, is clear to any government official who might wish to savor the sexual charms of a professional: if she (or he) asks, "Your place or mine?" the proper reply is "mine."

ARGENTINA

Perón Resumes Command

The ominous rumors had been circulating throughout Argentina: President Héctor Cámpora and his Cabinet would resign, and former Dictator Juan Perón would be in position to assume the presidency. At precisely 10:30 a.m. last Friday, the rumors became reality. Cámpora appeared on nationwide television and radio to announce "the mandate which General Perón gave us, we now return to him, because he is the leader of this great national, popular, Christian and revolutionary movement."

Thus history in troubled Argentina came full circle. Less than a month after his return from 18 years of enforced exile abroad, the way had been prepared

ten prisons were subsequently released.

Soon Cámpora's weakness returned to haunt him; Argentina's plague of kidnappings rose, as did the amount of ransom demanded. An even worse blow came last month when a bloody shoot-out between left- and right-wing Peronist factions left 34 dead and 342 wounded, ruining what was to have been a triumphant homecoming for Perón (TIME, July 2).

The mounting disaffection with the Cámpora government came to a head last week. Shouting "Power to Perón!" Peronist workers threatened to paralyze the nation with a general strike unless Cámpora and his Cabinet quit forth-

The military even agreed to allow Perón to regain his old rank of lieutenant general. It had been stripped from the ex-dictator *in absentia* by a military tribunal in 1955 on the charge of "serious shortcomings incompatible with the honor of the army."

Although he is now once again Argentina's undisputed leader, Perón must deal with most of the same problems that brought Cámpora down. Even if he were a younger man, this would be no easy task. Now 77, he is reported to be in failing health. Moreover, the old ways of flamboyant despotism obviously will not solve the complex social and political problems of modern Argentina. But *el Líder* enjoys something that Cámpora did not: the almost slavish faith of a majority of the people. If Perón can mobilize that faith to solve even a few of Argentina's vexing problems, he will have come a long way in erasing the stains that once made him one of South America's most odious dictators.

CENTRAL AFRICA

Bloodbath in Burundi

Burundi is a land of luxuriant beauty and berserk violence, torn apart by one of those tribal conflicts that are so elusive to an outsider's understanding. Determined to uphold a centuries-old feudal hegemony over 3,000,000 Hutu tribesmen, the well-armed Tutsi overlords, who number no more than 600,000, unleashed a violent pogrom last year. At least 80,000—and perhaps as many as 250,000—Hutus were killed. In May this year the slaughter revived in the southeastern part of the landlocked hill country (area: 10,747 sq. mi., smaller than Belgium). The latest Tutsi massacre was in retaliation for a three-pronged Hutu attack on Tutsi strongholds near the Tanzanian border. An estimated 15,000 have already been killed, and nearly 20,000 more Hutus have joined 30,000 refugees who had already fled to the safety of Tanzania, from which they frequently mount raids. Time Correspondent Lee Griggs visited the area of the fighting last week and sent this report:

The Tutsis seem to be creating a no man's land along the Tanzanian border to prevent further attacks. Although Burundi is one of Africa's most overcrowded countries, with a population of 325 persons per square mile, I saw almost no one during many miles of driving in the countryside. Every dwelling has been abandoned or burned down. Fields of coffee, cotton and beans stand overgrown. At Nyanza Lac, a once-bustling village of 3,000 people on Burundi's Lake Tanganyika, the only inhabitants are wild dogs.

*After nine years of rule, Perón was ousted in 1955 amid rumors of having had sexual relations with a teen-age girl and misuse of public funds.



PERÓN WITH HIS WIFE ISABEL



AND WITH CÁMPORA

Kidnapings, shootings and political schisms forced a resignation.

for Juan Domingo Perón officially to take total command in Argentina.

There were a few hitches, such as a new presidential election, which since Cámpora has resigned, must be called within 30 days. The interim President will be a Peronist, Raúl Lastiri, head of the Chamber of Deputies. But there is little doubt that Perón will be elected the new President. The Justicialist Liberation Front delivered 49.6% of the vote for Cámpora, Perón's hand-picked candidate in the March presidential elections. With Perón as the candidate, the Justicialists will certainly increase their margin of victory.

Cámpora fell from power after only 50 days in office, at least in part because of his inability to control Argentina's spiraling urban violence. Cámpora had promised conditional amnesty to political prisoners, many of whom were confessed terrorists. He also heeded demands that all prisoners not only be granted amnesty but also be given full pardons. About 500 prisoners from

with Peronist congressmen likewise agitated for Cámpora's ouster, as did moderate party members within the Justicialist movement. The only major opposition to Perón came from left-wing Peronist youth, who feared that a sudden change of heads of government would signal a shift to the right and thus scuttle their chance of turning Argentina toward Marxism. They denounced the "right-wing coup" and briefly occupied three colleges at Buenos Aires University.

The one force from which Perón could have expected the most trouble—the military—was quiet. The reason was some adroit maneuvering by the canny ex-dictator. Through Cámpora, Perón had forced into retirement nine anti-Peronist generals, including former President Alejandro Lanusse. Then Perón embraced the three new chiefs of the armed forces, receiving from them a pledge not to interfere with his running of the country in return for his pledge to rule within the constitution.



HUTU REFUGEES & THEIR CHILDREN RESTING IN A FIELD IN ZAÏRE'S KIVU PROVINCE AFTER ESCAPING TUTSI REPRISALS IN BURUNDI

Bloodstained panga knives and a slashed tribal drum lie in the middle of the dusty main street. A huge stork pecks for grubs in a gutted drygoods store, and weasels scurry in the debris. The main square is littered with broken rumba phonograph records—and an empty, bloodstained black shoe. From a pole at the town water pump flies the red-and-white flag of the *Jeunesse Révolutionnaire*, the paramilitary youth groups who did most of the killing. The youth groups are run by the Tutsis' Party of Unity and National Progress (Uprona), which in effect rules the country. The job of the *Jeunesse* is to mop up after the soldiers, killing any Hutus the troops have missed in their savage campaign against the "rebels." Survivors have told stories of men, women and children being herded into straw huts and burned alive. Refugees arrived in Tanzania with their hands, ears, even their feet chopped off. This year the Tutsis are being more discreet, killing mainly at night. But a nun assigned to the area to treat leprosy said she has no work because "everyone has fled—or is dead." Farther down the road a *Jeunesse* waved his rifle and boasted: "It's very simple. They want to kill us, so we must kill them first."

Hutu Hunt. At Mabanda, where this year's fighting started, a band of spear-carrying Tutsi irregulars were clustered in a bar, drinking bottles of beer to get in the mood for the night's Hutu hunt. "We will kill as many as we have to," boasted one old man, "as many as it takes to make our families safe here."

Bujumbura, the seedy capital (pop. 75,000), where spacious villas dot rolling green hills overlooking the vast blue expanse of Lake Tanganyika, has become virtually a Tutsi town. The few Hutus left are keeping a low profile. "The Hutus will never stop grasping for power, and the Tutsis will fight to the last man to keep it," a Belgian business-

man told me. "I honestly cannot see any end to the killing. I only thank God that they are leaving the whites out of it." Elsewhere, the Tutsis and Hutus seem to be living together without trouble—at least for the moment—sharing the same hills and villages. But calm will prevail only as long as there is no effort to change the ages-old system of *ubuhake* (literally meaning servitude), under which the herd-keeping Tutsis lease their cattle to Hutu farmers for food and pledges of vassalage.

Burundi's handsome Tutsi President Colonel Michel Micombero, 33, who came to power seven years ago by ousting the decadent royal clan, denies any intent to exterminate the Hutus. He likes to point out that many of them belong to his Uprona Party, and claims that much of the killing has resulted from invasion attempts by Hutus living in exile in Tanzania. Seated in the summer house of his lakeside palace while two crested cranes paced back and forth in a nearby cage, Micombero explained: "Just as in the U.S. and most other countries, it is the political majority that rules rather than an ethnic majority." Throughout the entire interview he did not use the words Tutsi or Hutu once, apparently in an attempt to emphasize his determination to eradicate tribal distinctions. "It is true that many have died in Burundi," he said. "My own people started the terrible troubles of last year, but they were stirred by outsiders. This year there is internal peace, broken only by external attacks." With emotion Micombero added: "I am trying to consolidate the unity of my country, and would like to see our brothers outside our borders return and settle down to a guaranteed peace." To restrain excesses he has helicoptered to the South several times in recent weeks. But the bloodshed is bound to continue until his fellow Tutsis once more feel unchallenged in their dominant role in Burundi.

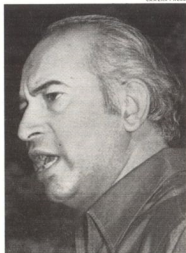
PAKISTAN

Time for Forgiveness

Since the end of the Indo-Pakistani war a year and a half ago, the countries of the subcontinent have been locked in a frosty stalemate of mutual recriminations. Caught in the diplomatic freeze are hundreds of thousands of refugees and prisoners of war. Pakistani President Zulfikar Ali Bhutto last week moved decisively to thaw relations.

In an emotional post-midnight session of the National Assembly, Bhutto argued that it was time for "mutual forgiveness and understanding" to govern relations between Pakistan and Bangladesh, formerly Pakistan's eastern wing. "We want to meet one another; we want to embrace one another; we want to shed tears over one another, over what has happened in the past," he declared. The Assembly overwhelmingly passed

CAMERA PRESS



PRESIDENT BHUTTO
"We want to embrace one another."

THE WORLD

a resolution authorizing recognition of Bangladesh as an independent country.

Bhutto said that he would not use the authority immediately, but it obviously paves the way for a compromise by the subcontinent's three antagonists. Bangladesh wants recognition in order to obtain United Nations membership this fall. Pakistan is anxious for the repatriation of its 90,000 prisoners of war still in India—and India is almost as anxious to get rid of them.

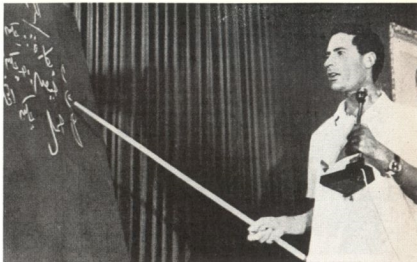
It was agreed last week that the repatriation of prisoners will be discussed by Pakistan and India in high-level talks next week. At the same time, the fate of some 200,000 Bengalis who have been held hostage in Pakistan since the war and want to return to Bangladesh will be negotiated along with the disposition of about 250,000 Biharis in Bangladesh who want to go to Pakistan. Bhutto told TIME that Dacca's intention to try 195 P.O.W.s was still "the main hurdle" to successful negotiations.

He backed down, however, on his earlier refusal to allow the Biharis to be repatriated to Pakistan. "There's no problem of repatriation of Bengalis from here," he said. "And there's no problem to negotiate the future of the unfortunate [Biharis] who are now known by the generic name of non-Bengalis. But we cannot open the floodgates and say send as many as you want." Matching Bhutto's softening positions, India released 438 P.O.W.s on medical grounds and Pakistan freed 479 Bengalis.

On the eve of what was to have been a six-day state visit to the U.S. this week (now postponed until September because of President Nixon's illness), the American-educated Pakistani President, 45, discussed the troubled subcontinent with TIME Correspondent William Stewart at the presidential mountaintop retreat at Murree in the hills above Rawalpindi. "As Bhutto walked in, smiling, confident and modestly dressed in a blue striped suit with a figured tie, his personal gunman quietly withdrew," cabled Stewart. "During the next hour and a half, he displayed all the animation, emotion and sly intelligence that has baffled India's leaders since he became President of Pakistan. Later we were joined by his wife and three of his four children, including a son who is home for the summer from Harvard and a daughter who just graduated *cum laude* from Radcliffe. Both majored in government."

Some points from the interview:

On Pakistan since the war: "We have all the problems that plague an underdeveloped country. We've been broken in half, but by the end of the decade we hope with hard work and effort we can again show that this is really the most prosperous part of the subcontinent. Labor and education reforms have been far-reaching, land reforms have been good, but I would have taken the knife much deeper had



LIBYA'S LEADER ADDRESSING EGYPTIAN WOMEN ON THEIR "BIOLOGICAL DEFECTS"

I inherited normal or relatively normal conditions."

On the Bengalis held in Pakistan: "They get newspapers, they get the radio, they get books, and they get allowances. But I am sorry to say that they have been segregated. I use the word sorry sincerely. I didn't like to do it, but [Bangladesh Prime Minister] Mujibur Rahman's chauvinistic policies drove me to this painful decision."

On relations with India: "I'm not obsessed with some kind of hatred for them. On the contrary, as I said to Mrs. Gandhi at the Simla conference last summer, ours is a thousand-year-old conflict between the Hindus and the Moslems, now personified in the state of India and the state of Pakistan. And I told her it would be such a great achievement, greater than all of the déteines that are being arrived at in the West, if we could now find a *modus vivendi*."

On the U.S.-China rapprochement: "I have had umpteen discussions with Mao Tse-tung and Chou En-lai and have always told them about the necessity of relations with the U.S. 'Look,' I said, 'the waters wash both your shores and you must enter into a dialogue.'"

On relations with the U.S.: "We've had a long, traditional, historical friendship with the U.S. There was a bad period. You had some obsession about China. Now so many fundamental things have taken place between the great powers. [When I visit Washington] I am not going to beg for food. I'm going to discuss our relationship in its totality. I want to hear America's views on our mutual obligations, on the subcontinent and the Indian Ocean, the Persian Gulf and the Middle East. We are not one of those countries that are ashamed of their relations with you. We are proud of ours and would like to further consolidate them."



MRS. GADDAFI (RIGHT) & MRS. SADAT LISTEN

MIDDLE EAST

Clinging to Paradise

To hear Libya's Colonel Muammar Gaddafi tell it, "would be a marriage made in heaven. If only Egypt—poor, overpopulated and beleaguered by an aggressive Israel—would agree to a complete merger with oil-rich, underpopulated Libya, the two countries could at last fulfill their Arab destiny. Gaddafi, 31, ruggedly handsome and undeniably charismatic, says that he would even settle into a back seat and let Egypt's President Anwar Sadat, 54, run the show as President of the new state.

Trouble is that Gaddafi's glowing vision of union is not quite matched in Egypt. On a recent high-pressure, two-week visit to Egypt to plump the plan, the Libyan leader discovered that his proposed partner had become recalcitrant, if not downright hostile. Everywhere he went, Gaddafi locked horns with the Egyptian intelligentsia, engaging in heated arguments on everything from Arab unity and Islamic tolerance



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Your solution to the gas have to be an ugly one.



*The sporty Toyota Celica ST.
It averaged 25 mpg in tests conducted
by an independent laboratory.

shortage doesn't

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And yet it comes with a 1968cc over-head cam engine, four-on-the-floor, radial tires, hood vents, racing stripes, tachometer, woodgrain-style accents, reclining front bucket seats, carpeting, clock, even a radio. All standard.

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to Libyan xenophobia. A nonsmoker and nondrinker, Gaddafi has closed all nightclubs and bars in Libya and restored the practice of amputations for thievery—measures which Egyptians hardly want to see extended to their country.

Gaddafi's stormiest encounter came in a meeting with 1,000 prominent Egyptian women, who expressed fears that the merger would mean that they would have to adopt the strict Islamic law relegating women to the second-class citizenship Gaddafi has forced on Libyan women. "Because of biological defects, a woman's place is in the home," intoned Gaddafi. "These are not

defects, Mr. President!" came the outraged reply. "All right, then," responded Gaddafi, "nobody can complain if we ask pregnant women to make parachute jumps." That sexist sentiment hardly endeared him to the women. To make matters worse, a number of Libyan women whom Gaddafi had flown in to reassure their Egyptian sisters about the joys of subservience instead pleaded with the Egyptians to help them change their status in Libya.

Beyond the question of women's rights, Egyptians generally have good reason to be wary. The rambunctious Gaddafi's public scorn for Saudi Arabia, Jordan, Lebanon and Syria could

jeopardize Egypt's international quest for diplomatic and financial support. So, too, could his impulsiveness. In February, Cairo had to dissuade him from sending Mirage bombers to Tel Aviv to avenge Israel's shooting down of the Libyan airliner.

The merger idea will be put to the final test Sept. 1, when both countries will vote on it. At the moment, chances for the full merger that Gaddafi desires do not look promising. Wrote Mohammed Hassanein Heikal, editor of Cairo's influential *Al Ahrām* and one of the few prominent proponents of merger: "I told a very sad Gaddafi not to despair, but to cling to his paradise."

Weeping in Fear at the River

With Aug. 15 the deadline on U.S. bombing of insurgent forces circling Phnom-Penh, *TIME* Correspondent Barry Hillenbrand traveled to Cambodia last week to assess the country's mood. His report:

Not much of Thnai Toteong still stands. A few concrete-block walls, a post here and there, enormous 150-liter water jars remain curiously intact. Mostly, the little village 20 miles from Phnom-Penh is rubble and charcoal. Seven weeks before, I had driven through Thnai Toteong and stopped off to buy 4 lbs. of a rich Chinese sausage so exquisitely prepared that travelers carry it back to Hong Kong as gifts for friends. It was a calm, bucolic village untouched by war. Now the sausage shop is gone, a few gun emplacements and foxholes testifying to its brief, final existence as a stronghold. In the rear of the shop are charred remains of sausage meat, roasted black by fire. Soldiers and townspeople report a fierce battle, with bombing and plenty of mortar and artillery fire. The untidy debris of war is everywhere: mortar fragments, rifle clips, hand-grenade cartons, an entrenching tool.

■ ■ ■
Cambodia sinks ever deeper into crisis. For a time, in late May, the Khmer insurgent offensive slowed, but in June the attacks began again, this time concentrating on the area to the south and southwest of the capital. Village after village was held briefly, then abandoned after air strikes and artillery duels. For the government forces, disaster follows disaster. When Kompong Kantuot near Phnom-Penh was abandoned, the government troops were forced to swim the Thnot River because insurgents had blown the bridges. Some of the soldiers—boys aged twelve to 15—drowned. Those who escaped heard others, left behind and afraid to swim, weeping in fear and despair.

Despite the Aug. 15 schedule for halting U.S. bombing, government forces remain optimistic that the U.S. will

save them. Commander in Chief Sosthene Fernandez pledges: "We will continue the fight until the North Vietnamese Communists leave our territory." Asked what will happen after the U.S. bombing is stopped, he says: "If the North Vietnamese and the Viet Cong are still here, I will ask the U.S. to continue the air support." How is the war going? "It gets worse and worse," a colonel replies. "Some units are not fight-

Cambodians can hold out until then."

Still, it is a mistake to talk about an iron ring around Phnom-Penh. Convoys with food and fuel continue to make it into the city. Shops have fewer wares, but the market in gold and jewelry is vigorous because Cambodians are hoarding against disaster. The U.S. dollar, shaky elsewhere, is stronger here than ever before also because of hoarding. Phnom-Penh is calm and placid, though the constant U.S. bombing regularly shakes the city. "We don't have a word for crisis in our language," says



CAMBODIAN SOLDIER & CHILD IN WRECKAGE OF VILLAGE 20 MILES FROM PHNOM-PENH

ing. It's not just the soldiers; it's the officers too." He still believes in the Americans. "If things slowly and slowly get worse, the U.S. Congress will not close its eyes. The Americans will help us. If Cambodia falls, the Americans will lose face, not the Cambodians."

So deep is the conviction that American planes will continue bombing, according to one foreign diplomat, that the Cambodian chiefs of staff have done little to plan their strategy for the time after the bombing stops. In the diplomatic community, there was a widely heard, half-serious judgment: "The question now is not what will happen after the Americans stop bombing Aug. 15. The question is whether the

a Khmer businessman. "We just take things easy. It will work out, I'm sure."

Is an all-out attack on Phnom-Penh expected? It is possible, but unlikely. Insurgent troops are more likely to continue grinding down Lon Nol's forces bit by bit. Nor do negotiations seem a likely prospect to bring a quick ceasefire. If the insurgents continue to push ahead at the present rate, they scarcely need to negotiate. It makes more sense for them to wait it out; some things can only get better for the insurgents after the bombing ends.

As I leave, a friend's words stay with me. "It's a war they didn't want in the first place. It's not Biafra yet, but it's nearly that sad. It's so sad, really so sad."



RICHARD BACH TAKES OFF



SIR RALPH RICHARDSON REVS UP

GERALDINE CHAPLIN JOINS UP WITH "THE THREE MUSKETEERS" IN MADRID



ALAN BUCKLE—YONAH

"We're almost in the business of flying rainbows over crushed emeralds," said **Richard Bach**, author of *Jonathan Livingston Seagull*. Bach had been flying a 1929 Travel Air 4000 over Peconica, Ill. for a documentary being made from his book *Nothing by Chance* (1969) about barnstorming in the '20s and '30s. The film version of *Jonathan* takes off next fall.

In spite of his wife's occasional remonstrances, Veteran Actor **Sir Ralph Richardson**, 70, rides a motorcycle daily when he can. "I had my first motorcycle at 16 and am unable to say when I'll have my last," he explained in Sydney.

Australia, where he will be starring in William Douglas-Home's play, *Lloyd George Knew My Father*. Invited to have a look at a new German BMW, Sir Ralph suddenly took off for a spin. "Sorry, dear," he said later to his wife. "The infernal machine got the better of me."

The conductor of the Philadelphia Orchestra was napping at home one afternoon not long ago when the telephone rang. Waking him, his wife said, "The President's on the line." "The president of what?" asked **Eugene Ormandy**. **Richard Nixon** was calling to forward an invitation from the Chinese government to the orchestra of its choice—the Philadelphia. Following the lead of the Vienna and London orchestras, which have also toured China, the Philadelphia is not including any works by

Russian composers. Ormandy announced last week that it is, however, preparing to play the *Yellow River Concerto*, a modern Chinese work. The composer is not one man but several, namely "the committee of the composers' union."

"Charging down is **Prince Charles**, son of... Let me think a minute... Oh yes, the Queen and that fellow... I remember—Prince Philip." The commentator at the polo match was former American Polo Player Tom Oxley cutting up during the Prince's visit to the Bahamas for their Independence Day celebrations (TIME, July 16). The jokes about the royal family were labored. But when Oxley described polo as a disease like polio, the usually easy-going Prince, 24, had had enough. At half time he grimly ran up the steps of the commentator's box: "Cut out the wise-cracks," Charles ordered. "You are turning this into a barn dance."

Geraldine Chaplin was sitting on top of the world. Charlie's oldest daughter, 28, was in Madrid with her lover, Director Carlos Saura. She was also playing Anne of Austria in a zany new version of *The Three Musketeers* directed by Richard Lester (*A Hard Day's Night*). Meanwhile four other versions of the Dumas novel were being filmed, two in Italy and two in France, making this the summer of the 15 Musketeers.

"What's your wife's name?" **Duke Ellington** asked the man who was standing next to the piano. Jacques Kosciuszko-Morizet, the French ambassador to the U.S., answered, "Yanie." "Well, then," said the 74-year-old musician, "this tune will be called *Yanie*." He played a few bars for the crowd that had gathered in Manhattan's French consulate to see Ellington presented with the

DUKE ELLINGTON GETS THE LEGION OF HONOR



PEOPLE



A LIFE-JACKETED TEDDY KENNEDY PLUNGES INTO THE COLORADO RIVER & PLAYS "PLANET OF THE APES" WITH FRIENDS

French Legion of Honor—the first to go to a jazz musician. The ambassador answered back on the piano with a few bars of Ellington's *Mood Indigo*.

"The countries that I like best don't have diplomatic relations with the U.S.," said **Eldridge Cleaver** four years ago, after leaving Cuba for Algeria. Still on the lam for breaking parole, the ex-information minister for the Black Panthers has decided that he would like to live in France, and has twice requested political asylum there. Minister of the Interior Raymond Marcellin has twice turned him down on the ground that Cleaver did not require asylum, "which implies that life or liberty is menaced."

"This is a nonpolitical trip, as you can tell, just like Alabama was," Massachusetts Senator **Edward Kennedy**, 41, told the reception committee at the Salt Lake City International Airport. Kennedy was joining California's Demo-

cratic Senator **John Tunney**, 39, and Representatives **William J. Green**, 35, of Pennsylvania, and **Wayne Owens**, 36, of Utah, for a rafting expedition down the Colorado River. Each had invited a son: Ted Kennedy Jr., 11; Teddy Tunney, 12; Billy Green, 8; and Doug Owens, 10. The octet successfully jumped twelve major rapids on their six-hour trip between Westwater and Cisco in eastern Utah. Teddy Jr. told reporters that he hoped to go into politics, a remark treated with good-natured skepticism by his father, who asked: "If he can't find his way through here, what would he do when he gets to Washington?"

Not all the Americans traveling in Europe were complaining about the shivering dollar. "I've been living as cavalierly as usual," admitted Director **Peter Bogdanovich**, who was camping out at the Grand Hotel in Rome while scouting locations for a movie of the Henry James novel *Daisy Miller*. He and his girl friend **Cybill Shepherd** (who will play Daisy) did notice that a single scoop of the famous ice cream in the Piazza Navona had doubled in price within a year, to 200 lire (35¢).

Jackie Onassis was not feeling the pinch either. She arrived on Capri wearing last year's sandals and at once toured half a dozen shoe stores. After she had picked out ten pairs of shoes and sandals, a secretary came by to pay the bill.

It would be "the Libber v. the Lober," said Tennis Hustler **Bobby Riggs**, 55, announcing that he would play Wimbledon Champion **Billie Jean King**, 29, after Labor Day. Riggs, who roundly defeated Margaret Court last May, said he had taken 400 vitamin pills before that match. Last week Ms. King suggested that he had "better start taking twice as many vitamins. I'm not Margaret Court," said Ms. King. "She



JACKIE ONASSIS SHOPS FOR SHOES

couldn't handle the pressure." There will be even more pressure on Billie Jean since she and Bobby will be playing for the largest purse ever put up for a tennis match—\$100,000—with an extra \$100,000 going to the winner from TV, radio and film rights.



CYBILL & PETER LICK ITALIAN CONES

Sterilized: Why?

Mary Alice Relf, now twelve, is mentally retarded, has a speech defect, and was born without a right hand. She has a sister named Minnie, 14, and as they grew old enough to attract boys, welfare workers steered them to a federally financed family planning center in Montgomery, Ala., where they received injections every three months of a drug called Depo-Provera, which was being tested as a contraceptive.

Last month, shortly after the drug was banned because of undesirable side effects, two nurses paid a visit to the shabby apartment where the Relfs live on \$150 monthly welfare payments.

SETTLE—THE NEW YORK TIMES



MARY ALICE & MINNIE RELF AT HOME
A question of consent.

Lonnie Relf, 56, a former field hand who has been unemployed since he was lamed in an auto accident four years ago, was away from home, but his wife Minnie recalls that the nurses told her the girls would have to go to the hospital for more shots. They said she must sign a paper, so she marked a surgical consent form with an X. The girls were taken to the Professional Center Hospital, kept overnight, and then sterilized next day by tubal ligation.

"I didn't want it done, and I'm still upset," Lonnie Relf testified last week before a Senate subcommittee, chaired by Edward M. Kennedy, which is pressing for a bill to tighten controls on Government medical experimentation. Relf's wife agreed: "I was mad. I wouldn't have let them do that."

The family planning center has insisted that the operation was properly explained to Mrs. Relf, but she denies this. Had she then given a valid, in-

formed consent, and did she have the legal right to do so? Or, more broadly, what right does the Government have to perform such an operation?

When the Office of Economic Opportunity set up its family-planning program in 1967, the regulations stated that "no project funds shall be expended for any surgical procedures intended to result in sterilization or to cause abortions." To help poor people prevent unwanted births, the ban on funds for voluntary sterilization was quietly dropped in 1971—the OEO financed some 16,000 of them last year—but no rules were ever promulgated. A set of guidelines was drafted and printed, barring sterilization of anyone who did not have "the legal capacity to himself consent to the procedure," but after an obscure controversy within the Administration, the guidelines were sent to a warehouse. Thus the use of federal funds for sterilization was left in a kind of legal vacuum.

Joseph Levin Jr., an attorney for the Southern Poverty Law Center, first filed a \$1,000,000 damage suit for the Relfs against the family planning center and OEO officials. Then he upped it to \$5,000,000 and named John W. Dean III and John D. Ehrlichman as co-defendants on the ground that they had been negligent in failing to speed the issuing of guidelines that could have prevented the operations on the girls.

Taking a broader aim, the American Civil Liberties Union filed suit last week on behalf of Nial Ruth Cox, now 26 and a nurse's aide on Long Island. She was sterilized in North Carolina in 1965 after her mother, who was supporting ten children on welfare, was persuaded that the results of the operation would be temporary. The suit charged that Miss Cox had been unfairly described as "mentally deficient," then coerced, deprived of due process and made a victim of cruel and unusual punishment. Laws permitting the "forced sterilization" of anyone termed "mentally defective" exist in 22 states, the A.C.L.U. said, and should all be struck down by the Supreme Court as unconstitutional.

Legal Briefs

► In a series of warehouses throughout the country sit cases and cases of canned lobster bisque, onion soup, lamb stew and various other delicacies—more than 2,000,000 cans in all—that may or may not contain deadly poison. They represent the entire stock of foods processed by Bon Vivant Soups Inc., which were seized by the Food and Drug Administration two years ago after a botulism-tainted Bon Vivant vichyssoise killed a New York banker.

Since there is no way of testing every can, the Government now wants to destroy the entire lot. Bon Vivant, which

has resumed operations as Moore & Co. Soups, wants to get back its property for resale. It argues that there is no reason to suspect poison in the foods, which are worth an estimated \$600,000.

When the suit came before Newark Federal Judge Lawrence Whipple in a non-jury trial last week, both sides were ready with mighty rhetorical flourishes. "The consumer must not unknowingly be placed in a position of playing a life-or-death game of Russian roulette when it comes to the food he eats," said the prosecutor. Bon Vivant's lawyer answered that such a charge amounted to "scare tactics designed to get a decision based on passion." The prosecutor promised to bring in "perhaps three dozen" microbiologists to prove his case. Bon Vivant's principal owner, Mrs. Maria Paretti, insisted that the food was perfectly safe, and added a little mysteriously, "Perhaps we could give it to a needy country."

Judge Whipple will be hearing testimony for perhaps three months before rendering his decision.

► Louis Smith, 37, once attacked a girl with a croquet post and later murdered and raped a student nurse. For the past 18 years he has been confined in Michigan's Ionia State Hospital as a "criminal sexual psychopath." Last year he was told that brain surgeons at the highly respected Lafayette Clinic in Detroit might be able to heal his apparently incurable condition by psychosurgery, a controversial technique in which portions of the brain are destroyed (TIME, April 3, 1972). Smith agreed, but just before the planned operation, an activist attorney heard about it and filed a class action to stop such surgery.

Last week, in a decision with broad implications for medical research, a three-judge state court ruled unanimously that "psychosurgery is clearly experimental and poses substantial danger to research subjects." It said that no one confined against his will can give "truly informed" consent to such an operation because the "inherently coercive atmosphere" of confinement does not permit genuine freedom of choice.

That principle, if applied generally, would probably curb the use of prisoners and involuntary hospital inmates as subjects for research (psychosurgery alone has been performed on about 500 people, many of them in confinement). As for Smith, the law under which he had been institutionalized was repealed in 1968, and a psychiatrist testified that he was no longer dangerous. Free since last March and getting conventional psychotherapy, he is no longer interested in brain surgery, and he hopes he can "live and make a life for myself with what I have." He also faces, however, the possibility of being prosecuted for the murder of the nurse.

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4. Does he ask you to grade his service? ☐ Yes ☐ No



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5. Is the work signed by the service technician? ☐ Yes ☐ No

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The Case of The Three Marias

Whores or lesbians, we do not care what they call us, as long as the battle is fought and not lost... Enough. It is time to cry "Enough!" and to form a block with our bodies.

These words are taken from a collection of ardently feminist writings that "outrage public morals" and "abuse the freedom of the press." That at least is the charge brought against the three women authors of the collection when the censors in Portugal issued a warrant for their arrest and banned their book, *New Portuguese Letters*, a commentary on the lot of women in machismo-oriented Portugal. To feminists round the world, as well as to champions of a free press, the police action against the Portuguese women in June 1972 was an outrage that slowly became the focus of an international protest movement. Last week it looked as if the movement might bear fruit: although the three writers face jail terms of up to two years, observers were predicting that the court would impose only fines or suspended sentences when the case comes to trial next October.

The writer-defendants, all in their 30s and all mothers of small children, are Maria Velho da Costa and Maria Isabel Barreno, both published novelists who do research for Portugal's Ministry of Economics, and Maria Teresa Horta, a well-known poet who edits the literary supplement of a Lisbon newspaper. The book they put together from their writings—they collaborated through an exchange of views in letters and at weekly lunches and dinners—is no mere feminist tract but a work of literary merit. It is now being translated into several lan-

guages and will be published in the U.S. next year by Doubleday. The work was inspired by the still widely read 17th century *Letters of a Portuguese Nun*, supposedly written to a French officer who had seduced and then deserted her.* *The New Portuguese Letters* consists of 15 fictional letters, along with poems, essays and manifestos, describing the betrayal and disillusionment of contemporary woman.

"In the first *Portuguese Letters*," Barreno explained to TIME, "it was a nun who was cloistered. In the new *Letters*, it is all women. The social institution that shackles them worst is the role of mother. Society idealizes the role, of course, but the idealization masks the slavery of it." The new book is broader than this, however. "It has many themes," asserts the highly intellectual Velho da Costa. "Passion, oppression and especially love." But the more emotional Horta insists that "the book has one great theme, and that is the liberation of women."

Phallic Women. Of the three authors, Horta is the most fervently feminist: "I am not for the emancipation of women, but for their liberation. Emancipation is only a legal term, only a political event. It is the pathetic attempt of women trying to be like men, to make it in a male world. But liberation—ah, that is freedom. That is when man is removed entirely as the model of behavior and a woman is free to become herself." Horta believes that men, too, are oppressed. "But the relative pain of the two sexes is not comparable. Besides the social system, which rides all humanity, women have a spe-

cific aggressor: men. Not just any men, but the intimate partners, fathers, brothers, sons in their lives."

Velho da Costa, by contrast, is more charitable toward males: "Society and social oppression are not made by men alone, but by historical structures and thought patterns that oppress all of us." Moreover, she sees dangers in uncompromising militancy. "I value the feminist movement, as I value all activist movements that contribute to the struggle for human freedom," she says. "But in their fury and their aggressiveness and their mono-mindedness, women in the movement are proving just as 'phallic' as men, and that is what they should want to avoid. If we fight fire with fire, we'll all end up getting burned."

Whether militant like Horta or moderate like Velho da Costa, active Women's Liberationists have been virtually unheard of in Portugal, where old ideas about "a woman's place" are so deeply ingrained that few women are even conscious of them. Yet when *New Portuguese Letters* came out in April 1972, one-third of the original printing of 3,000 copies was sold within a month. Then the regime of Premier Marcello Caetano cracked down. Officials invoked a new law that makes writers criminally responsible for their work if the censors, who render judgments only after publication, voice objections. Having brought charges against the three Marias, authorities then released them on bail of 15,000 escudos (\$700) each. Their trial was originally set for July 3 but has been postponed to permit Writer Horta, ill with tuberculosis, to recover sufficiently to withstand prolonged court proceedings.

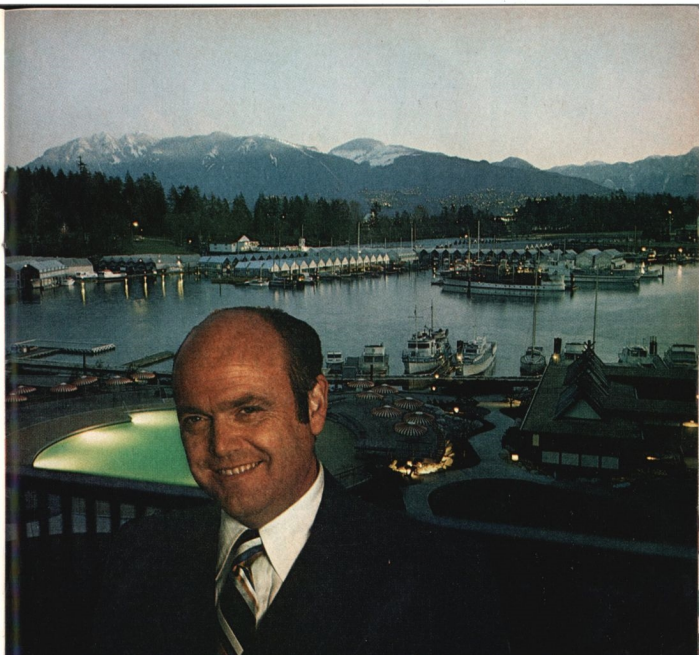
Meanwhile, Portuguese intellectuals protested the banning of the books as did the American P.E.N., the noted association of writers. A group of Brit-

*Now generally attributed to the French author and diplomat Gabriel Joseph de LaVergne, Viscomte de Guilleragues. When first published, the book was described as a French translation of five genuine letters.



AUTHOR BARRENO & SON

AUTHORS VELHO DA COSTA & HORTA



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THE SEXES

ish authors, among them Doris Lessing, Iris Murdoch and Stephen Spender, wrote a letter to the *Times* of London attesting to the book's literary value and "strict moral intention."

In the U.S., a conference sponsored by the National Organization for Women voted to make the case the first international feminist cause. To further it, women in five U.S. and seven foreign cities staged demonstrations on the date originally set for the trial. When 50 protesters gathered on the lawn of the Portuguese consulate in Boston, Vice Consul Carlos Nunes relayed a curt reproof from his boss, Consul General George Freitas: "The world would be a better place if each person would mind his own business." To which one woman responded, "And you are minding the business of the three Marias—which is why we are all here."

The Liberated Pimp

Ditch digging, plumbing, truck driving, lumbering. One by one, fields once closed to women are opening up. Among the latest to admit females: pimping. Hamburg, Germany, scene of this latest "advance," now has 300 to 400 female pimps, each bound to one prostitute in a lesbian relationship. "With the emancipation of women and the increasing tolerance of homosexuality," Police Official Karl Heinz Westphal explained last week, "more and more prostitutes refuse to be exploited by a male pimp and turn to women as surrogate men."

For the police, women pimps mean less trouble than their male counterparts because they confine themselves to pimping, while men often pursue a variety of criminal interests ranging from theft to assault and even murder. Prostitutes themselves do not necessarily fare better when exploited by females rather than males. Just as prostitutes keep their male pimps in flashy suits and opulent cars, they deck out their female bosses in expensive clothing and glittering jewelry. True, the female procurer may keep house and provide a semblance of family life for her whore. But like a male pimp, the female sometimes fakes affection to cajole her prostitute into earning more money, and in some cases beats her into submission.

Hamburg police recount the sad tale of a prostitute named Erika and a pimp named Helga. For two hard-working years, they saved money to go into business as antique dealers. Then Helga ran off with the money. Heartbroken—and furious—Erika went to the police and charged Helga with pimping, but the case was dismissed because the German penal code recognizes only men as procurers. That legal bias will be corrected some time next fall, when a new law will make pimping by either sex a criminal offense. Small comfort for Erika, however. Her once beloved Helga has already used Erika's earnings to open an antique shop of her own.

MUSIC & DANCE

Orpheus in the Gray Shades

Chicago's Ravinia Festival had not had such prestige and excitement since Seiji Ozawa stepped down as music director in 1968. Part of last week's furor was over Soprano Beverly Sills, unfurling the druidical delights of Bellini's *Norma*. But even more of it was over the short, pudgy, bespectacled white man with a modified Afro who ambled out to the podium and called the Chicago Symphony to work with a mighty sweep of his left fist.

He gently signaled a lyrical passage with a crook of the finger and a nod of the head. A percussive, firmly beating section found him tapping a foot and doing shallow knee bends. Whatever his body language, the playing and singing were exhilarating in their bel canto mood and color, and the standing ovation of the audience was almost anticlimactic. As Sills put it: "He's going to be one of our great American artists."

Wintry Fare. At age 30, Conductor James Levine is on his way. A virtual unknown three years ago, Levine now ranks with Michael Tilson Thomas, 28, as one of the two hottest young conductors on the American scene. Tackling such wintry fare as Beethoven's *Missa Solemnis*, or sitting down at the piano to conduct and play Mozart's *Piano Concerto No. 12* with a crystalline joy, Levine has given this summer's Ravinia programs new musical depth as well as box office appeal.

Elsewhere in the last couple of seasons, Levine's guest conducting with the Los Angeles and New York philharmonics and the Boston Symphony has instantly won the kind of acclaim—from critics, public and musicians alike—that most conductors take years to attain. His debut recording, the complete *Joan of Arc* by Verdi (Angel), starring Montserrat Caballé, Plácido Domingo and Sherrill Milnes, confirms the skill and flair for Italian opera that Levine has shown in two years on the podium of the Metropolitan Opera.

No young Turk hammering at the walls, Levine has a mature attitude toward both audiences and music. He intelligently interprets contemporary music, but is not about to shove it down anybody's throat. "An audience is made up of people involved in other professions, and it's asking a lot of them to keep pace with the latest things in my art form," he says.

Levine favors sporty clothes (he conducted one recent Ravinia concert in dark blue bell-bottoms and matching polo shirt) and is so relaxed that he can indulge in one of his favorite pastimes, eating, even during intermissions. Aside from his steady girl friend, a Manhattan oboist, he has no organized nonmu-



CONDUCTOR JAMES LEVINE
Food at intermission.

sical interests except the Navajo rugs and dinosaur bones that he collects for his apartment overlooking Central Park. Says he: "I feel there is enough scheduling in a musician's life that I try not to regulate the other things I do."

The air of casualness is deceptive in such a disciplined musician. Too many conductors today strive for originality but end up either with mere visceral excitement or drab sterility. Levine succeeds by being disarmingly strict regarding what the score says in black and white and delightfully lyrical, like Orpheus, among the gray shades of interpretation.

When he was a toddler of two or three, black and white to Levine meant the piano keys he could barely reach but nevertheless managed to bang intelligently at his parents' home in Cincinnati. His father Lawrence, a former dance-band leader under the name Larry Lee, was working his way up to president of a dress-manufacturing

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MUSIC & DANCE

firm. Until her marriage, Mother Helen had been a Broadway ingénue.

Jimmy's piano lessons began when he was four and still did not know the alphabet and could only count to ten. He had lots of toys but played only with a record player and miniature puppet stage. With these, by the age of nine, he was producing operas at home—singing, conducting and directing the entire score. He also attended the opera and symphony in Cincinnati with scores on his lap, all the while conducting with a knitting needle.

At ten, Jimmy made his debut with the Cincinnati Symphony playing Mendelssohn's *Piano Concerto No. 2*. He had arranged that all by himself through his piano teacher. His parents found out about it when he interrupted a phone conversation one night to shout to them: "They want to know if I want to be called Jimmy or James."

Beginning when he was 13, he spent his summers at either Marlboro, Vt., or Aspen, Colo., studying piano with Rudolf Serkin and Rosina Lhevinne respectively, but he never lost sight of his ambition to be a conductor. He went through the five-year course at Manhattan's Juilliard School in 24 months, and at age 20 auditioned for the Ford Foundation American Conductors Project. One of the judges was so impressed that he offered Levine a job. The judge was George Szell, and thus, in 1964, Levine became the youngest assistant conductor in the Cleveland Orchestra's history.

He stayed with Szell six years, made his debut with the San Francisco Opera (*Tosca*) in 1970, and in June 1971, filling in after the death of Fausto Cleva, made his Met debut (also in *Tosca*). That and his subsequent work at the Met have won him a permanent job there. This September Levine will take over formally as "principal conductor," a new post created to provide Music Director Rafael Kubelik with a full-time musical and administrative deputy. The choice is popular with the orchestra. "It sounds like a cliché," says Met Tuba Player Herbert Wekselblatt, "but from the moment he came into the house, it really was like a breath of fresh air."

Hoffmann Grounded

Lust, murder, homosexuality, mental illness, even a mod satire set to the sounds of the Beatles. With innovative ballet subjects like these, Britain's Peter Darrell has become known over the past decade as a choreographer who was going to be up with the times at all costs. His latest ballet is a full-length *Tales of Hoffmann* based on the Offenbach opera. Introduced last week at Manhattan's Lincoln Center by the American Ballet Theater, it is a shocker of another sort: an old-fashioned, behind-the-times entertainment that will offend no one, please some of the public, and bore serious balletomanes to distraction.

Darrell created *Hoffmann* after



GREGORY & KAGE IN "TALES"
Enough grace for a Giselle.

moving his London-based Western Theater Ballet to Glasgow in 1970, where it became the government-subsidized (98%) Scottish Theater Ballet. "Scotland doesn't see a great deal of ballet," says Darrell, 43. "It's a matter of educating the public. I wanted to do a ballet that was going to be popular." Fair enough—for Scotland. But whether *Hoffmann* will catch on with the sophisticates among American Ballet Theater's audience is another matter.

Hoffmann works as an opera because its music is inventive and full of deft characterizing touches. There is no reason the storied fancies of E.T.A. Hoffmann cannot work as ballet too—as long since proved by *Coppelia* and *The Nutcracker*. This *Hoffmann* has a recomposed score by John Lanchbery that draws also on other colorful Offenbach works. But its choreographic steps and gestures are trite, even humdrum at points, and devoid of the kind of grand line that grand ballet at its best demands. (Ah, those outstretched arms signaling the courtesan's entrance—as in a silent film starring Theda Bara.)

The arduous assignment of dancing all four heroines (La Stella, Olympia, Antonia, Giulietta) went to Cynthia Gregory, 27. Although Gregory emerged only last year as a star of the company, she has already been hailed by Dancer-Choreographer Erik Bruhn as "the greatest American ballerina since Maria Tallchief." Dancer Gregory brought to *Hoffmann* an enchanting grace and *élan* worthy of a Giselle, testifying to her thorough-going professionalism. Swedish Dancer Jonas Kage, 22, struggled noticeably as the hero, merely indicating that he was not the only one incapable of getting *Hoffmann* off the ground.

■ William Bender



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The Landmark Man

Given the chance to tear down some musty old theater and to design a glass-walled new "culture center," most architects would rejoice and turn to their drawing boards. Not Chicago's Harry Weese. Though he is one of the nation's most talented architects, he goes out of his way to preserve landmark buildings. "We do it because it has to be done," he explains. "Fine old buildings give our cities character and continuity. They give us a sense of stability."

Weese, 58, is a natural landmark man. He loves cities, he bicycles to work, not so much to get the exercise as to feel Chicago's texture. Characteristically, he installed his office in an old warehouse with a greenery-filled atrium and a glass-roofed elevator—"so you can look at the clouds." His own designs, from Washington's Arena Stage theater to the U.S. embassy in Ghana, are similarly lyric, and they always respect their architectural context. In his Walton Apartments in Chicago, for example, he used bay windows to echo those used by the city's great turn-of-the-century architects: Daniel Burnham, John Root, Louis Sullivan and Dankmar Adler. Says Weese: "I would rather match a cornice line, or set one that could be matched, than try to build a spectacular building that stands by itself."

This concern for urban fabric led Weese to his first renovation job—Chicago's Auditorium Theater. Designed by Adler and Sullivan in the 1880s, it had become a U.S.O. club with bowling alleys and finally ended as a neglected shell. Its roof leaked; its 4,000 velvet-covered seats were rotting. Weese meticulously restored the stately interior with its soaring arches, curving balconies and richly ornamental plaster friezes. The work cost \$2,000,000 and was

finished in 1967. The result: a glowing, golden concert and opera hall with near perfect acoustics.

Some of Weese's restoration jobs—notably Chicago's huge, Greco-Roman Field Museum of Natural History, its Newberry Library and Orchestra Hall—involve what he calls "good housekeeping." He makes no major structural changes, but he reorganizes layouts and adds air conditioning and modern lighting. The point: to keep old buildings useful, and so to give them new life.

Daring Required. Sometimes that is a difficult task. Weese went to Louisville to save a small bank that he describes as "one of the nation's most sophisticated examples of Greek Revival style." By building a new auditorium and stage between the bank and an old warehouse on a rear lot, he turned the complex into a theater. Residents of Montgomery, Ala., called Weese to save the classical pre-Civil War state capitol from legislators who want a new building. He has proposed new lighting and air conditioning and a refurbishing of the gracious old details, down to the yellow-pine floors and marble fireplaces.

"It requires some daring to keep a building's integrity and still plan for maximum feasible use," Weese says. "You have to concentrate on what *not* to do. If you touch one thing, like the plumbing, you can sometimes start a chain reaction." As much as possible, he follows the original plans. That takes selflessness, the willingness to let a long-dead architect dictate nearly every step. But, Weese wryly notes, "Modern architects have a hard time matching the quality of work of the old masters."

Weese is convinced that renovation almost always costs less than leveling old buildings and constructing anew. Boston's old Jewett Theater, an intimate Georgian structure, would have cost at

least \$5,000,000 to replace. Boston University is spending \$400,000 to fix it up. Even less striking buildings are worth refurbishing. Weese is currently starting a project, funded by the Federal Housing Administration, to rehabilitate an elegant, old three-story walk-up apartment house in a Chicago slum. "You can't duplicate it today," he says. "Saving this kind of building saves a bit of the urban environment."

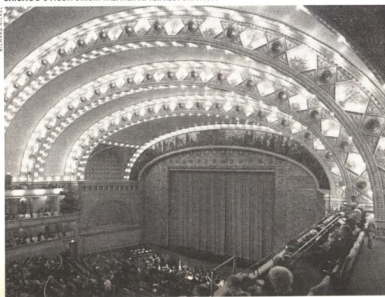
There is a definite place for new buildings in his philosophy too. "Co-existence is the key," Weese says. "The old with the new." Then he adds a more personal reason for his efforts at preservation: "It might sound a bit chauvinistic—but maybe someone will save one of our buildings some day."

Hidden Stores of Poison

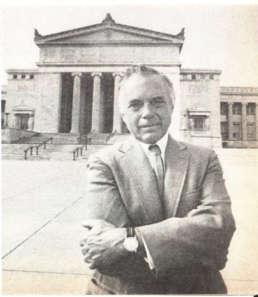
For the past five years, Colorado authorities have been planning to build a new \$22 million runway for Denver's Stapleton International Airport on about 600 acres of land belonging to the U.S. Army's Rocky Mountain Arsenal. The Army turned over the deed to the land in 1969, but as late as last May, it was forbidding jets to fly over the area because of unspecified "safety factors." Denver Mayor William H. McNichols finally went to Washington to find out what was causing the delay. He soon learned. Beneath the prospective flight approach, the Army still maintains a stockpile of millions of pounds of lethal nerve gas. "It took us completely by surprise," says McNichols. "The stockpile was supposed to be gone."

The nerve gas kills so swiftly that inspectors carry live rabbits to warn them (by dying) of any leaks. In 1968, the Army had promised to move or "demilitarize," *i.e.*, to detoxify and destroy, a certain portion of its deadly chem-

CHICAGO'S AUDITORIUM THEATER AFTER RESTORATION



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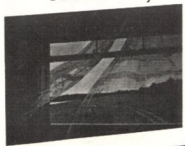
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ENVIRONMENT

icals. In 1971, it started shipping nerve-gas shells by rail to the East Coast, where they were hauled out into the Atlantic and dumped.

Almost as soon as that program became known, it had to be stopped. Neither Congress nor any other official body wanted to have the "ultrahazardous materials" traveling across the U.S., and their safety under water was not certain either. The Defense Department then announced that it would spend \$50 million to remove or destroy the chemicals at the Rocky Mountain Arsenal. Until recently, everybody assumed that the problem had been solved. This false impression was strengthened last year when the Army provided the Environmental Protection Agency with an inventory of what it had in its stockpiles. The extent of the nerve-gas supplies,




NERVE-GAS INSPECTION AT ARSENAL
What the Army did not tell.

about which the EPA had not specifically asked, was not mentioned.

When Colorado Governor John Love was informed that the nerve-gas stockpile was still sitting ten miles from Denver, he was outraged. He telephoned newly appointed Defense Secretary James Schlesinger to express "doubt that the U.S. needs to maintain a nerve-gas stockpile as a deterrent, but that if it does, it certainly doesn't have to be maintained at an arsenal which adjoins a large metropolitan area."

The Pentagon now says that it plans to demilitarize the nerve gas starting in October. The process takes time (some will be detoxified in a special new facility at the arsenal), and therefore Denver airport cannot build its new runway before 1977. Meantime, Colorado Air Pollution Official Joe Palomba Jr. is investigating what other wonders the arsenal may have omitted from its inventory. Says he: "I do not want to be hit with any more surprises."



“Mom, there’s this girl I want you to meet.”

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PPG: a Concern for the Future



The Presidential Virus

Viral pneumonia is sometimes known, as Senator Sam Ervin Jr. referred to it in his lip-smackin' drawl, as "walkin' pneumonia." Often, as Dr. David J. Sencer of the U.S. Center for Disease Control pointed out, it is no worse than a bad cold or a touch of flu. But for some victims, especially those over 50, the bug that hospitalized President Nixon last week is a misery-making, debilitating illness. Victims can be reassured by the fact that viral pneumonia

victims at a time. One of the few advantages of having *Mycoplasma pneumoniae* is that, like the bacterial forms, it is susceptible to attack by antibiotics.

When Dr. Walter R. Tkach, Nixon's personal physician since 1969, concluded that his patient was suffering from viral pneumonia, he knew that it might take several days for lab tests to determine whether the infecting agent was *Mycoplasma* or a true virus. He decided to administer an antibiotic immediately on the theory that it might help. Though Tkach declined to identify the medicine, it was probably erythromycin or one of the tetracyclines, which are frequently prescribed for *Mycoplasma pneumoniae*. From X rays, he concluded that only the lower lobe of Nixon's right lung was inflamed.

For all viral pneumonias, the prescriptions and prognoses are clear: analgesics (probably aspirin) to control fever and relieve headache, aching muscles and chest pain; bed rest; and lots of fluids. The President's fever of 101°-102° was neither unusual nor threatening. Still, the disease is considered serious enough for a man of his age to require the seven to ten days in hospital that Nixon was told to expect.

To the layman's natural curiosity about whether or not Nixon's illness may have been brought on by Watergate, there is a straightforward, nonpolitical answer. Anyone is more than usually susceptible to illness brought on by transient, everyday germs in periods of stress, when he may be sleeping poorly and working too hard. Thus it is most unlikely that Nixon's illness provides any psychosomatic insights into his feelings about Watergate—but quite possible that his first bout with illness since becoming President is the indirect result of that unhappy affair.

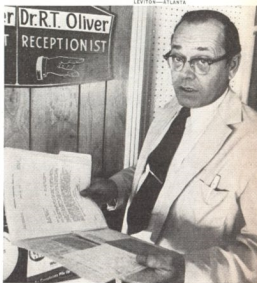
By Any Other Name?

A man who is licensed to treat patients' ills is a doctor and is undeniably practicing medicine. But is he therefore a doctor of medicine and entitled to put the magical letters M.D. after his name? Yes, contends Richard Oliver, 43, a physician who practices in the little (pop. 6,000) Georgia town of Eastman. No, says the Composite State Board of Medical Examiners, which licenses physicians to practice in Georgia.

Oliver is a doctor of osteopathy, a graduate of the Kansas City College of Osteopathic Medicine. He is entitled to call himself a doctor and put the letters D.O. after his name. Oliver has had unusually broad training and experience for a physician of any school, and practices obstetrics and gynecology in a small, neat building that he shares with a family-practitioner M.D. He also practices his specialty in the Dodge County Hospital. But, he complains,

90% of Georgians don't know what an osteopathic physician is and are apt to confuse him with "rubbin' doctors," chiropractors or outright quacks. As a result, Oliver claimed in a suit filed in U.S. district court, his practice was only about one-fourth what it would be if he could put M.D. after his name.

Until recently, osteopathic schools accepted candidates with poorer educational qualifications than did ordinary medical schools and gave inferior training, with excessive emphasis on spinal manipulation. That is no longer gener-



OSTEOPATH OLIVER
M.D. by court order.

ally true. Most of the nation's seven surviving osteopathic schools have raised their standards and incorporated more general medical subjects in their curriculums. Their graduates are permitted the same professional privileges as M.D.s in all 50 states. Moreover, in 36 states, including Georgia, osteopaths must pass exactly the same examination as M.D.s before they can be licensed to practice. Oliver passed such an exam in Georgia in 1971. He contends that his own osteopathic training is superior to that of many foreign-educated physicians who are allowed by the board to style themselves M.D.

Oliver's suit naturally incurred the wrath of the Medical Association of Georgia. By no coincidence, the Georgia legislature passed a bill, which the Governor recently signed, forbidding anyone without an M.D. degree to put those initials after his name. Oliver charged that the legislation was lobbied through specifically to affect his pending case. Last week the three-judge federal court ruled in his favor; pending any appeal by the board, he is now Richard Oliver, M.D.

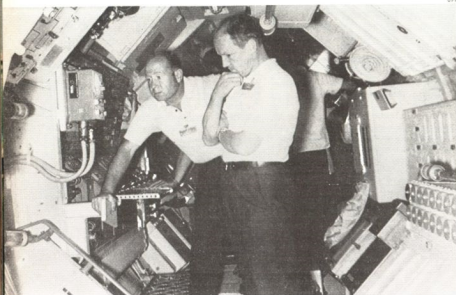


PRESIDENTIAL PHYSICIAN TKACH
A first bout with illness.

proves fatal in less than 1% of cases.

All forms of pneumonia are inflammations of the inner surface of the lungs. The classic form, deservedly dreaded before the era of sulfa drugs and antibiotics, is caused by bacteria. The vast majority of these cases can now be cured by drug treatment. More puzzling to specialists in infectious diseases has been the viral variety that attacked the President. This may be caused by any one of scores of different viruses, from those responsible for the common cold and laryngitis to those associated with measles and influenza. Infections provoked by these viruses do not yield to any known drugs, since medication that would kill the viruses would also destroy the cells that they parasitize.

Actually, one common form of "viral" pneumonia is caused by an organism that is neither a bacterium nor a virus. Known as *Mycoplasma pneumoniae*, or the "Eaton agent" (named for its discoverer), it is the smallest free-living agent capable of infecting man. The microbe is best known for downing whole barracks or dormitories of



ALEKSEI LEONOV (LEFT) & FELLOW COSMONAUT EXAMINE SKYLAB MOCK-UP AT SPACE CENTER

The Russians in Houston

The welcome was so warm that about the only thing missing was balalaika music. Astronaut Tom Stafford greeted the Soviet visitors to the Johnson Space Center in his newly acquired (albeit broken) Russian. Cosmonaut Aleksei Leonov—who in 1965 became the first man to walk in space—promptly returned the linguistic compliment. Asked whether he anticipated any language difficulties when Stafford's Apollo spacecraft and his Soyuz rendezvous and dock in earth orbit in 1975, Leonov broke into a broad grin and said: "No problem English."

The camaraderie in Houston last week was more than simple friendliness between rival spacemen. The Soviet cosmonauts, marking an important milestone in international cooperation in space, were beginning their initial briefings by U.S. space officials on the Apollo spacecraft, including its life-support and communications systems. In fall, Stafford and his fellow crewmen, Deke Slayton and Vance Brand, will visit Zvezdnyy Gorodok (Star City), outside Moscow, for a reciprocal study of the Soviet spacecraft. Unless each side understands the other's ship, serious problems could occur when the spacecraft are maneuvering in earth orbit. But the cosmonauts—including Leonov and his sidekick, Engineer Valery Kubasov, who are the prime crewmen for the mission—seemed to be particularly interested in another American spacecraft. While touring a mock-up of the giant Skylab space station—which is significantly larger than the Soviet Salyut—they poked into every compartment

within sight, flipped countless switches, and bombarded their hosts with endless questions.

Yet despite all the cordiality, there were signs of old tensions. The Russians were originally scheduled to spend six weeks in Houston, but they cut their visit to two weeks. Reason: had they stayed on, they would have been hard put to refuse an invitation to witness the launch of the second Skylab crew from Cape Kennedy, scheduled for July 28. The Russians have repeatedly shunned such invitations because protocol would have required them to invite American astronauts to one of their own lift-offs—something they have steadfastly declined to do.

A Mixed-Up Sun

Most of the underground activity in Lead, S. Dak., site of the famous Homestake mine, consists of digging for gold. But in recent years, a group of scientists have also been working a mile beneath the surface at Lead to capture elusive emanations from the sun called neutrinos. Traveling at the speed of light and thought to be capable of passing through trillions of miles of solid lead, the ghostlike neutrinos have no mass or electrical charge. They are produced during violent atomic collisions at the core of the sun, and thus are believed to be a vital index to the activity and energy output of the glowing mass that supports life on earth. What astronomers and physicists have learned so far from the neutrino detector in South Dakota suggests that the sun's output is much less constant than has been believed, and that variations in its output

may explain broad climatic changes both on earth and on Mars, including such phenomena as ice ages.

The detector was designed by Chemist Raymond Davis Jr. of Brookhaven National Laboratory. Shielded from all other radiation by the rock above, the detector consists of a 100,000-gal. vat of a cleaning fluid called tetrachloroethylene. A small number of incoming neutrinos collide with chlorine atoms in the fluid. The collisions convert the chlorine to radioactive atoms of the element argon, which can then be counted. Davis calculated a year ago that on the basis of what scientists know and theorize about the sun, less than one-fifth as many neutrinos are radiating from it as would be expected.

Since then, other scientists have speculated that this reduced radiation may mean that the nuclear fires at the sun's core are severely banked. Harvard Astrophysicist A.G.W. Cameron and others suspect that the banking effect is caused by a sudden, unexplained mixing of gases in the sun's core, which leads to a brief expansion of the core and a reduction of nuclear reactions. In all, estimates Cameron, it may take some 6,000,000 years for this cycle to run its course—during which the sun's heat and light would be reduced.

Warm Earth. Geological evidence indicates that over most of its history, the earth was a far warmer place than it has been for the past 2,000,000 years. Humidity and temperatures were higher, there was more cloud cover, and barren zones with little vegetation were more common. If the banked-fires theory is correct, the relatively cooler recent period, including short-term "ice ages," might indicate that the sun's core is now being mixed, and may return to its normal output in about 4,000,000 years. Cameron estimates that such mixing events may be separated by hundreds of millions of years.

If solar mixing does occur, it would also affect other planets of the solar system. In *Nature*, Carl Sagan of Cornell and Andrew Young of Caltech have suggested that fluctuating solar output could explain such Martian mysteries as the river-bed-like channels recently photographed by the Mariner 9 spacecraft. Martian water, now locked firmly in the frozen poles, presumably would have flowed freely during warmer times. Sagan and Young go further. Suspecting that our sun is not unique in its quirky behavior, they checked other nearby stars. In the cluster Praesepe, they found a number of stars that varied widely from expected energy output. Such variations, they say, broaden the long-term temperature ranges to be expected near these stars, increasing the chances that earthlike climates—and perhaps life—exist.

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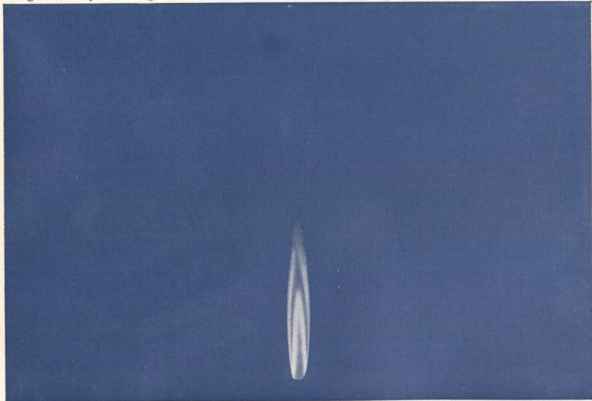
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SYNOD PRESIDENT J.A.O. PREUS

Battle of New Orleans

Were Adam and Eve real people whose taste of forbidden fruit tainted man forever with original sin? Did Jonah spend three days in the belly of a "great fish"? Did the Red Sea actually part for Moses and the Hebrews fleeing from Egypt? Last week in New Orleans, the 3,000,000-member Lutheran Church—Missouri Synod said yes to all those questions. By their votes, the delegates at the biennial L.C.M.S. convention made a crunching and almost unprecedented shift to the right, a shift that promises a major purge at the largest Lutheran seminary in the world.

The battle over the literal "inerrancy" of the Bible has been shaping up ever since 1969, when a grass-roots alliance of conservatives succeeded in electing the Rev. Jacob A.O. ("Jack") Preus as president of the denomination. Preus, a former professor of Greek and Latin as well as Scripture, is no simple fundamentalist; like other orthodox Missouri Synod theologians, he believes that some parts of the Bible are poetic or symbolic—such as the *Book of Revelation*. But he also believes that what the Bible presents as factual is factual, and he holds what could be called a theological domino theory: if a man denies the Red Sea story, his son may come to deny the Resurrection.

Since his election, Preus has been waging a war of attrition against a number of somewhat more liberal theologians at the synod's distinguished Concordia Theological Seminary of St. Louis, and particularly against its president, the Rev. Dr. John Tietjen. The progressive majority on Tietjen's faculty hold that the Bible is the inspired word of God because it has the power to bring men to salvation, but they believe that insistence on inerrancy can actually obscure the Gospels' message.

At the New Orleans convention, Preus and his conservatives were in

complete control. The delegates started by re-electing Preus himself on the first ballot with 606 votes, 77 more than he needed for a majority. The convention next elected a seminary board that gave Preus forces a clear majority for the first time. Then after a series of raucous arguments and filibusters ("If we can't act like Christians, let's at least act like gentlemen!" cried one delegate), they voted to recognize a statement by Preus on the Bible as the church's official position on inerrancy and other issues. In their strongest action, by a vote of 574-451, the delegates repudiated the scriptural views of the seminary progressives as "false doctrine."

A bitter fight apparently lies ahead for Concordia's faculty. Tenured dissenters who do not resign may find themselves facing church heresy trials. Church officials, in turn, could well face civil suits from dismissed teachers, and the seminary risks losing its accreditation from the American Association of Theological Schools. "Some professors will fight to the bitter end," Preus told TIME, "but if we don't act, the church will lose its doctrinal character."

Preus' insistence on this "doctrinal character" may also erode ecumenical relations with the more liberal Lutheran Church in America (3.1 million members) and the American Lutheran Church (2.5 million).

Indeed, with the Preus victory, the Missouri Synod Lutheran will stand quite alone—too scholarly to be fundamentalists, too fundamentalist for most mainstream Christian scholars. One disheartened young Chicago pastor, the Rev. Lonnie Precup, suggested that the Preus takeover was in fact quite un-Lutheran. "I thought," he said bitterly, quoting Martin Luther himself, "that neither Pope nor Council could bind our conscience."

Devil's Advocate

Speak of the devil, and up pops John Updike. In an introduction to a new anthology called *Soundings in Satanism* (Sheed & Ward; \$6.95), Updike—a childhood Lutheran who became a Congregationalist—even turns into something of a devil's advocate. Speaking disapprovingly of the widespread disbelief in God's opponent, the novelist observes: "We have become, in our Protestantism, more virtuous than the myths that taught us virtue; we judge them barbaric. We resist the bloody legalities of the Redemption; we face Judgment Day, in our hearts, much as young radicals face the mundane courts—convinced that acquittal is the one just verdict. We judge our Judge... incidentally reducing his 'ancient foe' to the dimensions of a bad comic strip."

The court is more complicated than that. Says Updike: "The assertion 'God

exists' is a drastic one that imposes upon the universe a structure; given this main beam, subordinate beams and joists must follow... A potent 'nothingness' was unavoidably conjured up by God's creating something."

That powerful "nothingness," says Updike, is named the devil—and the devil pervades man's experience. "These grand ghosts did not arise from a vacuum; they grow (and if pruned back will sprout again) from the deep exigencies and paradoxes of the human condition. We know that we will live, and know that we will die. We love the creation that upholds us and sense that it is good; yet pain and plague and destruction are everywhere."

Beyond the archdemonic Hitlers, Updike points out, are the evils that persist in Everyman: "Is not destructiveness within us as a positive lust, an active hatred? Who does not exult in fires, collapses, the ruin and death of friends? What man can exempt from his purest sexual passion and most chivalrous love, the itch to defile?"

Good fortune is no escape, Updike warns. "Indeed, the more fortunate our condition, the stronger the lure of negation, of perversity, of refusal... Thus the devil thrives in proportion, is always ready to enrich the rich man with ruin, the wise man with folly, the beautiful woman with degradation, the kind, average man with debauches of savagery. The world always topples."

What does all this suggest to Updike? "I would timidly, as a feeble believer and worse scholar, open the question of the devil as a metaphysical possibility, if not necessity."

DAVID DOUGLAS DUNCAN



JOHN UPDIKE



DEVIL ASTRIDE GOAT



DUTCH FAMILY POSING AT WATERGATE

This Must Be the U.S.

"We had been planning to come here some day," said Harry Lafont, 47, a French businessman on holiday in the U.S. this month with his wife Suzy. "When the dollar was devalued once again, we decided we could make the trip this year." Like the Lafonts, vacationers from around the world are taking advantage of dollar devaluations, cheap charter flights and their own higher incomes by joining the biggest tourist invasion the U.S. has ever experienced. Led by the Japanese, British, West Germans and French in that order, overseas travel to America in the first three months of 1973 was up by 29% over the same period last year. Foreign visitors to the suddenly teeming U.S. shores are expected to number 3.5 million before the year is out, an increase of 20% over 1972.

Overseas travelers in the U.S. have gradually agreed on a list of "must-see" places that can be covered in a two-or-three-week stay. The standard Grand Tour in the New World always includes New York (main attractions: skyscrapers and Harlem), Washington (Government buildings and, recently, Watergate), the Los Angeles area (Disneyland), and San Francisco (Fisherman's Wharf and Chinatown). For strict adherents to this two-coast itinerary, middle America is likely to exist in memories and snapshots as the Grand Canyon, Las Vegas or one of the national parks—all popular stops between the two Atlantic and two Pacific cities.

Offbeat Side Trips. Yet the "if-it's-Tuesday-this-must-be-California" approach to U.S. travel is rapidly giving way to more interesting arrangements. "We're getting more sophisticated, more intelligent visitors now," says Diane Cook, executive director of the International Visitors Service Council in Washington, D.C. "They want to see America in depth rather than just the image." As a result, there is increasing demand for offbeat side trips, such as visits to Western cattle ranches, Eastern college campuses and model cities like Reston, Va., or Columbia, Md. Also, as visitors return for second and third trips, they naturally want to see new places. "Florida will be the next



THE WRIGHTS AT LINCOLN MEMORIAL

new one because of the weather and the beaches," predicts H. David Seegul, president of Manhattan's Travellers International, a leading travel agent for overseas groups. "Then perhaps New Orleans or Colorado."

As first-timers, the Lafonts stuck pretty much to prime attractions. They had signed up three months in advance for an economy charter flight to the U.S. They set out, with a budget of \$2,000 for fares, meals and hotels, on a whirlwind coast-to-coast tour of the U.S. During their 48-hour stay in Los Angeles, they sampled bumper-to-bumper freeway traffic, paid a visit to Disneyland, took a bus tour of Beverly Hills and a trip to the sprawling baroque mansion of Silent Film Star Harold Lloyd. Though pleased by the friendliness of Americans wherever they went, the Lafonts were perplexed by the lack of bidets in their hotel rooms and bothered by the transitoriness of American living. "The French would not accept these little wooden houses that don't last," observed Lafont. "We build our houses to last for generations."

As with many foreign visitors, they encountered serious communication problems. "In Europe, a U.S. tourist can always find someone who speaks English at the hotel or at the airport," said Lafont, who is limited to schoolboy English himself. "Here, nobody speaks French. We got along as best we could. In New York we couldn't understand anybody. They must speak some special slang."

Unlike Europe, where motorists can move between capitals—and cultures—with a few hours' drive, the wide-open spaces of the U.S. can take considerable time and money to cross. By far the cheapest way to do it is a special \$99 bus pass available only to foreigners, entitling the holder to unlimited travel for 21 days. Taking advantage of that bargain, Keith Wright, 30, a British tool-



ITALIANS ENJOYING DISNEYLAND RIDE



JAPANESE HONEYMOONERS IN CALIFORNIA

and diemaker, and his wife Denise, 25, managed to stay within their blue-collar budget yet travel 8,000 miles around the U.S. Since food, gasoline and other staples of everyday life are frequently higher-priced in Europe than in the U.S., the Wrights were pleasantly surprised at many of their bills. "Accommodations and eating in the U.S. were less expensive than we had thought."

Nevertheless, money is the one universal hang-up for foreign visitors. For one thing, non-U.S. currency is almost never accepted by American stores—as the dollar, despite its current troubles, still is in many overseas nations. U.S.

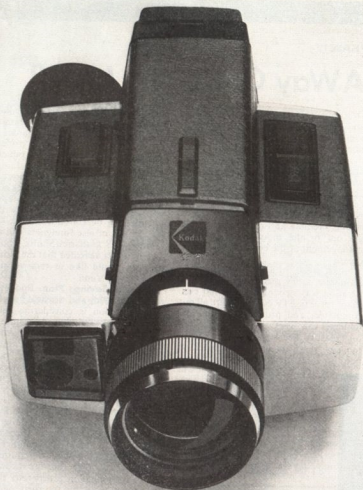
MODERN LIVING

Travel Service officials still recall with horror the case of a Canadian woman who broke her pelvis in a fall while visiting Los Angeles; outrageously, the hospital to which she was taken refused to admit her until Canadian funds were converted to cover a cash deposit. Medical treatment in general is a frequent source of irritation to visitors. "It costs \$200 for treatment of a broken limb here," notes Seegul. "That can be pretty shocking to people from countries with socialized medicine."

Many also come from countries where tipping is institutionalized, in the form of a 10% or 15% service charge automatically added to restaurant checks and hotel bills. Though relentlessly drilled by tour guides on the more free-enterprise aspects of the custom in the U.S., many foreigners become hopelessly confused when the time actually arrives to tip someone. They can also get taken. Chizumi Otani, a Tokyo housewife whose U.S. visit was a 50th birthday present from her family, recently handed a \$5 bill to her waitress in a San Francisco restaurant to pay for a \$3.30 lunch. The waitress did not return with change, and the visitor was too polite to search her out and demand it. "I learned something—this tipping is a very confusing custom," Mrs. Otani concluded ruefully.

Sometimes Too Much. The overwhelming impression of most visitors to the U.S. seems to be one of friendliness. "People are easy to talk to here," says Sune Nilsson, 24, a student from Sweden. "You can just say 'you' to anyone, whereas in Sweden people like to be called 'sir' or by their title." Agrees Dutch Camera Distributor Peter Peperzak, 45, a four-time visitor to the U.S.: "The Americans are so open. You know immediately what they are. I like that, but sometimes it can be too much." The Wrights' happiest memory was of a helpful waitress in New York, but they felt that their long bus excursion had been partially spoiled by disagreeable drivers. "Maybe a bus driver's life is unpleasant," says Denise, "but on the buses it's like you are a pest come to annoy them."

Despite such occasional complaints, tourists clad in sport shirts and shorts are fast becoming as familiar in the U.S. as they are in the rest of the world. U.S. Travel Service officials calculate that they will leave behind some \$3.7 billion this year, thus helping considerably to offset the \$6.2 billion that U.S. tourists are expected to spend abroad in 1973. More important, most will return home to echo the sentiments of Suzy Lafont—and thereby ratify the ultimate value of national hospitality. Says she: "All our friends are waiting for us to return and tell them about our trip. We are going to make very good propaganda for America."



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PHASE IV

A Way Out of the Mess?

Despite surging prosperity, the nation and the economy are drifting through soggy, somber summer doldrums. Inflation appears ready to bulge as soon as the price freeze is lifted. Food shortages loom, the possibility of recession builds, and the ailing dollar bumps from crisis to crisis overseas. Still, outright recession can be avoided in 1974 if the Nixon Administration can enforce a strong, credible anti-inflation policy to get out of the mess that its erratic management of the economy helped to create.

Last week, in a flurry of top-level economic policy meetings, the Administration was striving toward that end. Plans for Phase IV controls were all but completed, and probably will be announced this week or next. According to Treasury Secretary George Shultz, the new program will be designed to hold down as much as possible the inevitable jump in prices that will follow the end of the freeze.

On paper, Phase IV looks tough. Profit margins will not be allowed to rise as much as in the largely voluntary and ineffective Phase III. Big companies will have to get prior approval from the Cost of Living Council for all price increases. The

raises probably will be measured against the prices that existed in early January, when Phase III started. Companies will not be permitted to increase prices to make up for increases in production costs that occurred before the January "base period." To further slow price spirals, companies in some instances might have to make their increases in steps instead of all at once. Export restraints will have to be continued for a time, says Shultz, or else foreigners will rush to empty U.S. granaries. Shultz, who dislikes controls, revealed that the Administration would like to remove all of them by year's end.

Forced Savings Plan. Budget Director Roy Ash also disclosed that the Administration is considering raising taxes to "brake inflation and restore foreign confidence in the dollar." Among the measures being weighed: an increase in gasoline levies and a "horsepower" tax that would fall heaviest on big, gas-thirsty cars. Most experts regard a tax boost now as ill-timed, especially when the 1974 budget is sliding into balance and the economy's growth is slowing. One idea gaining support among economists is a "forced savings" plan to stabilize demand. Firms and individuals would be required to pay a part of their after-tax income to the Government in prosperous times; the money would be returned, perhaps with interest, when the economy needed stimulus.

Above all, the Government's success in quelling inflation will depend on

slowing the rocketing price of food. The surest way to achieve that is to increase supplies. The Agriculture Department reported that the prospects are good for a bumper crop this year, particularly for such basic livestock feeds as corn and soybeans. Even so, the rate of price increases in the supermarkets is not likely to taper off until next year, and then only if supply really catches up with swelling demand.

Food prices for the rest of this year are expected to go on inflating at an annual rate of close to 8%. Phase IV will most likely permit food processors, wholesalers and retailers to pass on to consumers the increases that are paid to farmers for raw materials, which are exempt from controls. But companies probably will not be allowed to pass on some of their labor, transportation, processing or other cost increases, at least not immediately.

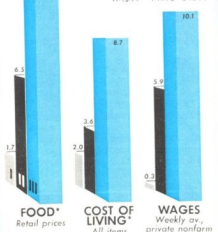
By holding down prices for processed foods while permitting the cost of raw farm produce to rise, the freeze has laid the groundwork for shortages later this year. Faced with soaring prices for feed, farmers killed baby chicks, sows and milk cows. Unable to earn a profit, meatpackers closed down, and food processors slowed production. Beef production could drop 2% this year; earlier it had been expected to rise 3.5%. Pork production is likely to dip by 3%, and output of broiler chickens is running 1.5% behind last year's pace. Says Don Paarlberg, chief economist of the Agriculture Department: "There will be fewer eggs, smaller supplies of fresh fruits and vegetables. Milk production will probably fall off, and there will certainly be fewer canned goods, less margarine and flour."

The comfortable agricultural sur-

PHASES OF INFLATION

Percentage gain at annual rates

Phases I II III
8/15/71- 11/14/71- 1/1/73-
11/13/71 1/1/73 6/13/73



"But, Mr. Farmer, sir... our idea was to freeze the prices... not the products."



"Sorry, chief, but we're having to revise our revised revision."

pluses that in the past kept American food prices relatively low compared to prices in the rest of the world may, in fact, be gone forever. According to the General Accounting Office, the \$1 billion sale of U.S. grain to the Soviet Union last fall was by far the biggest cause in lifting the price of American wheat by 100%, to \$3 a bushel, and led to increases in the cost of flour and bread. On top of that, the GAO reports, the Agriculture Department made things worse by paying \$300 million in subsidies to keep the selling price to the Russians unrealistically low.

The plight of the economy is largely attributable to the Nixon Administration's free-spending efforts to lift prosperity before the election last year, and its failure to restrain the boom that it had created. Even Shultz concedes that fiscal and monetary policy was much too expansive in the past. Some economists argue that those mistakes are now being corrected. For example, Walter Heller, chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson, believes the Nixon Administration's fiscal and monetary policies are now just about right, and that the chances of real recession are less than 50-50.

Yet there is growing doubt that the President's present economic team, led by Shultz, CEA Chairman Herbert Stein and COLC Director John Dunlop, can deal effectively with the difficult problems ahead. Says Economist Pierre Rinfret, a Republican and an influential adviser to Nixon: "Shultz and Stein are incompetent. They are a disaster. All they have demonstrated is the ability to lurch from one short-term solution to another." The assessment is overly harsh, but it does reflect a wide frustration inside and outside the Administration with repeated failures to bring the economy into line. Phase IV could well be the Administration's last, best chance to restore public confidence in its ability to foster prosperity without inflation.

WOMEN

The Unkindest Cut

Earlier this year, the Council of Economic Advisers, in its annual report, presented damaging evidence that women are a long way from job equality with men. The report noted that a woman's pay averages only two-thirds of a man's wages in equivalent job categories, but the CEA was unable to say how much of the discrepancy was due to outright discrimination. Last week CEA Chairman Herbert Stein revealed that recent studies show women get 10% to 20% less pay simply because they are women. With that, Economist Paul Samuelson advised women to exert more pressure, and suggested to employers: "Try not discriminating—you may like it."



"If you're trying to impress me, Monsieur, you're using the wrong currency."

MONEY

The Dollar Fights Back

A well-dressed man walked into a West German bank last week, drew a gun and told a cashier: "I want only Deutsche Marks. Don't give me any dollars, for heaven's sake." He made off with \$4,000 marks.

Such are the depths of devaluation and disrepute to which the once almighty dollar has fallen. So far this year the German mark and the Swiss franc have appreciated about 35% against the dollar; the French franc has risen 25%. This is causing prices of many European exports to climb intolerably and threatening a number of Continental industries. To ease the situation, European monetary officials went on demanding that the U.S. Government intervene—buy up dollars on foreign money markets to keep the dollar from falling out of sight. What they got in return last week was something short of resolute intervention, but it had the desired effect.

First, U.S. officials at a meeting of central bankers in Basel endorsed the principle of intervention—apparently repudiating the tired U.S. position that the dollar's weakness is Europe's problem, not America's. At midweek the Federal Reserve agreed with foreign central bankers to increase by 50% (to \$18 billion) the amount of foreign currency that the U.S. can borrow under a longstanding "swap" arrangement for use in buying up surplus dollars abroad. Finally, West German financial officials reported that there had been some limited official dollar buying—perhaps \$100 million of it—by the

U.S. and European governments. Result: the dollar rose in foreign money markets for three straight days before leveling off at week's end.

The U.S. actions seemed less a policy change than an expedient designed to convince money traders and multinational corporation treasurers that they can get burned trying to speculate against the dollar—especially with the U.S. Government willing to support it. The U.S. would also keep speculators guessing as to when and by how much it might intervene.

Because the dollar is undervalued, Washington still feels that market forces will ultimately cause it to rise. The West German government statistical office has put together a set of figures showing just how much the dollar is undervalued. The exchange rate is only 2.38 marks to the dollar, but a dollar in the U.S. buys the same amount of goods as 3.17 marks does in Germany. Similarly, the exchange rate for Swiss francs is 2.86, but the dollar's "real" value—or purchasing power—is equal to 3.90 Swiss francs. The rate for French francs is just over four to the dollar, but the real value of the dollar is about 4.23 francs.

Until the dollar's official rate rises again, American goods in theory should be irresistibly attractive on foreign markets, and some foreign goods should become increasingly expensive in the U.S. For example, a basic Volkswagen "Beetle" that sold for \$1,899 in the U.S. two years ago now has a sticker price of \$2,299; further increases can be expected. Thus the U.S. trade and payments balances should ultimately improve.

It is a nice scenario, but things may

Indicator of the Week

The ups and downs of U.S. airline traffic serve as a good gauge of where the whole U.S. economy is heading. And airline executives can firm up their forecasts for the year when they see the traffic figures for May—the month the first big wave of vacationers hits the ticket counters. Having just received last May's figures, some airmen have revised their forecasts for 1973 slightly downward. Though volume continued to climb, for many lines the latest gain was smaller than in May 1972. Following are the total May traffic figures for all eleven U.S. trunk lines and the six biggest lines, comparing this year's gains with last year's:

	Passenger Miles (in billions)	Gain in '73	Gain in '72
ALL LINES	11.26	11.4%	14%
UNITED	2.27	15.1	8.6
PAN AM	1.89	6.2	14.6
AMERICAN	1.47	6.4	8
DELTA*	1.23	16	13.8
TWA	1.20	9.9	6.8
EASTERN	1.06	2.6	13.1

*Includes figures for Northeast Airlines, which Delta acquired in August 1972.

ECONOMY & BUSINESS

be a little late working out that way. True, U.S. trade figures have begun to strengthen, but the U.S. will have to import more and more fuel—at higher prices. The recent imposition of export controls on U.S. soybeans and 41 other commodities will take some of the nation's most salable items off world markets. At the same time, prospects for a dramatic increase in other exports are not encouraging. U.S.-manufactured goods face a labyrinth of tariff and non-tariff barriers at many borders; a number of American firms are reluctant to divert goods from the red-hot home market; and not a few U.S. products are at present unsuitable for foreign markets. Most household appliances are designed for American voltages, and some U.S. television sets cannot receive signals from some foreign transmission systems.

The nation's overall payments balance is still deep in deficit (the shortfall in this year's first quarter was \$1.2 billion). Some reasons: despite the dollar's drop, American tourists are still flocking to Europe, the U.S. still keeps 606,000 military personnel overseas, and U.S. businessmen are still moving capital abroad about as fast as they did last year.

U.S. officials recognize that until pressure on the dollar eases off, neither the "Nixon Round" of tariff negotiations that will open in Tokyo in September nor the ongoing international talks on long-range monetary reform are likely to succeed. Yet it is doubtful that last week's recovery of the dollar signals a permanent cure. As a high official of an international economic organization in Paris put it: "The dollar's future resembles a fever chart—many ups and downs, but no real change. You can describe the patient as still being critically ill."

GASOLINE

Back Come The Trustbusters

Not since the legendary trustbusters cracked John D. Rockefeller's Standard Oil empire in 1911 has the petroleum industry been under so much anti-monopolistic fire. Last week the Florida state prosecutor hit the big oil companies with an antitrust suit, while in Los Angeles a federal grand jury opened a massive probe of price fixing and monopolistic marketing. In Washington, the Federal Trade Commission staff turned over to a Senate subcommittee a report charging that gasoline shortages are in part the result of widespread "anticompetitive" practices. In Congress, legislators introduced a number of bills that would break the oil companies up into much smaller parts.

The bust-the-big drive came as the gasoline crisis that fueled it seemed to be abating. For the first time since early June, the American Automobile Association's "fuel gauge" report showed an increase in the number of service stations that were operating normally—that is, keeping regular hours and not rationing gas to their customers. With refineries turning out gasoline at prodigious rates, gas stocks have been level or building up. Most important, demand has been waning, as drivers slow down and trim trips to save fuel. Still, some communities continue to be plagued by gasoline shortages, including Denver, Kansas City, even San Clemente.

The FTC report charges that the oil companies should have been able to predict increased demand and take steps to meet it. Instead, they "have attempted to increase profits by restricting output." Noting the number of major refin-

ery expansions that have just been announced, the report brushes aside industry assertions that environmentalist complaints stalled refinery building. Said the FTC staff: "Now that governmental intervention has become a strong threat, these companies have suddenly overcome their environmental problems."

Although the report does not charge that the oil companies conspired to produce gasoline shortages, it does assert that they have used them to "eliminate competition." Over the years, the report says, tax regulations, depletion allowances and the now suspended oil-import quota system have allowed the 20 biggest firms—those that control most domestic crude production, proved domestic reserves, refining capacity, pipelines and gas stations—to make tremendous profits at the production level, while holding down supplies and locking out independent refiners.

To change these policies, South Dakota Democratic Senator James Abourezk and Wisconsin Democratic Congressman Les Aspin have introduced a bill that would permit a company to operate in only one of the four phases of the industry: production, refining, pipeline transport or marketing. Democratic Senator Thomas J. McIntyre of New Hampshire has submitted a bill that would force all U.S. oil companies to give up their retail-marketing divisions by year's end. Florida's attorney general, Robert Shevin, has also filed suit seeking to force the 15 major oil firms to divest themselves of their crude-oil production arms.

Price Fixing. The FTC is expected soon to file an antitrust complaint against the largest oil companies. In addition, TIME has learned that the federal grand jury that was convened in Los Angeles last week has subpoenaed confidential records dating back to 1969 from about 30 oil companies that do business in the Far West. The jury, led by the antitrust division of the Justice Department, will probe alleged collusion by the companies to fix prices, control supplies and squeeze out independent competitors.

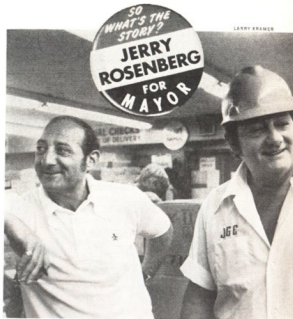
The oil companies dismiss the charges as nonsense. "Sure, the FTC report is absolutely correct," said a sarcastic spokesman for Amoco. "All of us majors here forgot our traditional competition, got together and manufactured the postwar baby boom and the environmental push for shifting from coal to heating fuel, delayed the Alaska pipeline and thought up all the other reasons for a gas shortage." The FTC report, says Frank Ikard, head of the industry-controlled American Petroleum Institute, "appears to be a rehash of arguments which have been refuted many times in the past." Perhaps so, but the trustbusting fever will have a beneficial effect: the investigations are likely to determine whether the charges of collusion and contrived shortages are valid—or just a lot of gas.

DENVER-AREA RESIDENTS RIDING TO SUPERMARKET TO PROTEST GASOLINE SHORTAGES
Anticompetitive practices, or a rehash of refuted arguments?





CUSTOMERS LINE UP OUTSIDE DISCOUNT EMPORIUM



CHARLIE & JERRY ROSENBERG MINDING THE STORE

DISCOUNTING

They Can Get It for You Wholesale (Almost)

He strides across the home screen—a burly leprechaun in work shirt and blue hard hat. In an accent straight from the streets of New York he answers an off-camera voice that keeps asking: "So what's da story, Jerry?" The story is a hammering promotion for JGE (Jamaica Gas & Electric), a cut-rate appliance firm that sells only to union members, civil service employees and their families. As Jerry explains: "Know the model and number of the appliance you want; Jerry can get it for you wholesale." The voice concludes: "So that's da story, Jerry?" Roars back the pitcher: "That's the stawry!"

The commercial, which has been blasting from four New York City-area television stations 144 times a week, has made Jerry Rosenberg, 39, a local celebrity, renowned as the workingman's friend. It has transformed JGE, which Jerry owns with his brother Charlie, 44, from a run-of-the-crate appliance store into a wildly successful discount business that is expanding its unbuttoned merchandising methods far and wide. JGE's sales have gone from \$1.8 million in 1971, its first year of discounting, to an expected \$8 million this year. Operating on gross profit margins of about 12%, less than half as much as other appliance dealers, the Rosenbergs will post net earnings of about \$250,000 from their single outlet.

The Rosenberg brothers are embarked on a new venture that could well balloon their business without risking a dime of their own money. They are licensing the JGE name to furniture and carpet retailers who want to go discount.

The licensees pay an undisclosed percentage of their gross to JGE for its advertising and merchandising help; beyond that, they are on their own. So far, JGE has recruited eleven merchants in New York and New Jersey and is negotiating with 28 others whom the brothers expect to sign up this month. The Rosenbergs confidently figure to expand soon from coast to coast.

Big-time though it is, JGE sticks stubbornly to small-time style. Its "showroom" is a small, carton-crammed section of a warehouse in a sidestreet in Bayside, Queens. All sales are for cash. Except for the Rosenbergs, who sometimes help unload trucks, only part-time employees mind the store. They include moonlighting policemen, housewives and four or five high school basketball players from the Friends' Academy in Locust Valley, N.Y. Clerks make no effort to push a particular brand or persuade customers to buy a higher-priced item; they simply take orders. Yet JGE turns over \$300,000 worth of stock about every two weeks.

Save a Bundle. The Rosenbergs saw the potential of reviving real discounting seven years ago, closed their regular appliance shop and set their sights on a specific target: union members and civil servants who are willing to travel 50 miles or more to save a bundle. Now buyers queue up to get in—and save. A 5,500-B.T.U. General Electric air conditioner goes for \$149 at JGE v. \$184.95 at Macy's; a compact portable dishwasher sells at JGE for \$159 v. \$199.95 at Macy's; a Sony portable color TV sells for \$375 v. \$470 at Bloomingdale's for the identical model.

At first the Rosenbergs thought that by limiting their customers to union members, they could sell low and avoid hassles with manufacturers. But JGE's advertising has riled competitors and

brought it into conflict with anachronistic Fair Trade laws, which keep prices up by authorizing manufacturers to set minimum retail costs for their products. General Electric, Sony and other major appliance makers will not deal with JGE because it sells well below the fixed price. Thus the brothers are forced to buy where they can—through cooperatives or from friendly wholesalers and distributors. "We get up a little earlier, and we find the stuff," says Charlie.

When Panasonic sued JGE for fracturing the Fair Trade laws, Jerry refused to pay a fine, salivating at the thought of how much JGE's good will and sales would be buoyed if he were dragged off to jail for cutting prices. Panasonic saw the same sort of result and let the matter drop. In a recent counterattack, Jerry hired a clutch of scantily clad models—at \$25 an hour—to parade before New York's city hall chanting: "Make GE stop hurting our Jerry!"

The Rosenbergs were born on Manhattan's Lower East Side. For all their sudden wealth, they still live modestly, sharing a two-family house ten blocks from their store. Charlie, who attended City College and had ambitions to be a musician, is a gaunt, sad-faced version of his ebullient brother and is one of the shrewdest buyers in town. Jerry, who dropped out of high school at 15 after setting a school record by playing hooky 61 straight days, is the crudely charming front man. Unable to fully believe in their new-found fame and fortune, the brothers continue to worry that somehow it will all be taken away, perhaps by the Fair Trade dragon. Says sad Charlie: "We get up in the morning as if we were sitting on a bubble." Still, the brothers are not daunted. Their newest plan is a move into auto sales at big discounts. Hear that, Detroit?

EYECATCHERS

Master Builder

Architect-Entrepreneur John Portman has done as much as anyone to turn Atlanta into a boom town—and a good-looking one at that. In the process he has become a multimillionaire. Once a part-time usher in a local movie-house, he designed and was an initial owner of the \$200 million Peachtree Center complex of office buildings, shops, restaurants and hotels, including the spectacular Hyatt Regency Atlanta, that has revived the city's downtown.

Portman is now working his special magic in other urban areas. In San Francisco, he is chief planner and part owner of the \$200 million Embarcadero Center rising near the waterfront. In Detroit, Henry Ford II selected him to design Renaissance Center, a \$500 million development that should give a new spin to the Motor City. He also has buildings completed or planned in Chicago, Chattanooga, Los Angeles, Fort Worth, Brussels and Paris. Last week the gentle, soft-spoken Portman, 48, announced that he will make his first foray into Manhattan, putting up a \$150 million combination hotel-theater that is designed to restore some of the glitter to the tarnished Times Square area.

Portman plans a 54-story extravaganza including a 1,050-seat theater located below ground level; twelve floors of shops, meeting rooms and restaurants; and above it all, a 37-story-high, wide-open "atrium" around which 2,020 rooms will be arrayed. Through the cavernous atrium, twelve spaceship-like glass elevators will zoom to a bronzed-glass rooftop penthouse containing a cocktail lounge and a revolving restaurant. Construction of the hotel, which will be

co-owned by Portman and managed by Edward Carlson's Western International Hotels, is to begin next year, with the opening set for 1977. Says Portman: "Times Square now is only skin-deep—a façade of lights and signs with no depth or substance. I hope that the new hotel complex will speed the entire development of Times Square."

Where the Bucks Stop

While Merrill Lynch professes to be bullish on America, Donald Regan, chairman of the largest brokerage of all, has more ursine feelings these days about Merrill Lynch. With trading volume fading and profits dwindling



DONALD REGAN

throughout the securities business, Regan has pared the salaries of Merrill Lynch's 140 highest executives by 10% to 20%. The cuts are expected to save about \$900,000 a year and impress the 20,000 other employees with the need for economy.

The reductions are only part of a year-old effort to shrink overhead at Merrill Lynch, which is considered one of the best-managed firms in the business. Merrill Lynch has reduced its payroll by more than 500, primarily through attrition, limited many of its brokers to a single telephone, and put restrictions on the use of first-class mail, messenger services and copying machines.

Regan, who will lose about \$40,000 from his own \$240,000 salary-and-bonus package, is merely acting out Wall Street's growing bearishness about the prospects of making ends meet. In the first five months of 1973, U.S. brokerage houses lost a total of \$153 million, and a number have reduced executive salaries. No fewer than 68 firms are on the New York Stock Exchange's "warning list" because they are operating at a loss. For this year's first quarter Merrill Lynch's revenues were down 8%, and profits 53%; its stock has shrunk this year from 32% to last week's 13%.

Like other brokerage heads, Regan may now feel that he expanded his firm more rapidly than trading volume warranted. Last year he moved headquarters to a lavish building on lower Broadway. Two years ago he enlisted IBM to put in a computerized communications system with a terminal for each broker; the project has since been shelved.

Still Regan remains one of the most influential persons in the securities business. He was a primary force in persuading his 20 fellow New York Stock Exchange directors to endorse the principle of competitive, unfixed rates for all trades. That policy will be enunciated in an Exchange position paper to be published this week.

Gray's Eminence

Born on a Georgia farm, Harry J. Gray studied journalism at the University of Illinois, won a Bronze Star as an infantry captain in World War II, and then, as advertising manager for a Chicago car dealer, pioneered the gimmick of having the dealer do his own radio commercials. One cold and icy night a decade ago, when Gray was a senior vice president of Litton Industries, he cracked up his motorcycle, fracturing a hip and a leg. Though laid up for eight months, Gray did not miss a day's work. Into a hospital room next to his own he moved a secretary, files and phones, and he continued to run the company's electronics-components division.

Now 53, Gray has not slackened his pace a bit since he left Litton in 1971,

when it appeared that he would have to wait too long for Chairman Tex Thornton and then President Roy Ash to step down. Gray moved to the presidency of Connecticut's United Aircraft Corp., world's largest maker of jet engines (Pratt & Whitney). Today he is launching a major diversification for the \$2 billion-a-year company.

Last week United made a deal to swap \$750 million of its stock for the Signal Companies, headquartered in Beverly Hills. Signal had \$1.5 billion in sales last year from drilling oil and gas, manufacturing Garrett gas turbines and aerospace gear, and making Mack trucks. If shareholders and trustbusters approve, the deal will make United the nation's 24th largest manufacturer.

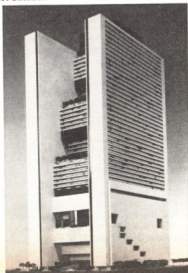
The tie-up will help United reduce its dependence on federal contracts for 51% of revenues. Signal shareholders, who have seen earnings dwindle from \$90 million in 1968 to \$41 million last year, will start receiving dividends more than triple Signal's present 50¢ a share. Some Signal directors were reluctant to team up with United; the firm took a \$44 million loss in 1971 because of difficulties in making the Boeing 747 engines. But United Aircraft's juicy dividend and Gray's indefatigable energy won them over. Signal President Forrest N. Shumway and Chairman William E. Walkup will join the United board. Harry Gray, who continues as chief executive, will remain in the driver's seat.



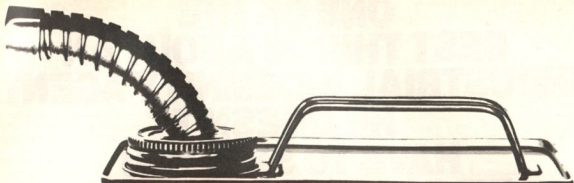
HARRY GRAY



JOHN PORTMAN



MODEL OF TIMES SQUARE HOTEL



DATSUN SAVES

About a gallon of gasoline a day.

With the demand for fuel rising faster than the supply, here's one way to help ease our energy crisis. According to the latest U.S. Bureau of Highways figures, the national average for gas mileage is about 13.5 miles per gallon. The new Datsun 1200 gets around 30 miles per gallon or over twice the national average. The average car in the U.S. is driven just over 10,000 miles a year, so you can save about a gallon of gas every day by driving

a 1200. With gasoline prices going up, it's a considerable saving of another important resource: your money.

Drive a Datsun... then decide.



DATSUN
FROM NISSAN WITH PRIDE

ONE OF THE BEST THINGS ABOUT AN INDUSTRIAL INDEMNITY AGENT: HE DOESN'T HAVE TO SELL YOU INDUSTRIAL INDEMNITY INSURANCE.

There are two kinds of insurance agents.

Those who work for only one company and independent agents who represent many companies.

Industrial Indemnity is a major Crum & Forster insurance company. And like all of Crum & Forster's 6,300 producers, the 2,200 agents and brokers who represent Industrial Indemnity are independent. They handle our workmen's compensation, property and casualty insurance, and other companies' insurance as well. So when they make a recommendation, they have no obligation to suggest our insurance. Or anybody else's.

This independence obviously frees the agent to give you the kind of objective advice you already expect from an accountant or a lawyer.

If one of our agents examines your situation and then recommends one of our competitors' policies, he's simply doing the job you and we want him to do. You get the right coverage at the right price. When you're satisfied, he knows you'll continue to do business with him. And we're motivated constantly to improve our coverage and service.

So far, the Crum & Forster companies have done extremely well amid this unusually intense competition. C&F provides personal and business insurance that ranges from homeowners, auto, boat and marine, to workmen's compensation policies. And in a field of over 2,700 property and casualty groups, Crum & Forster is number 16. C&F's total

premium volume is \$666.8 million, its net worth is \$432.4 million, and assets are over \$1.4 billion.

For over 75 years, the Crum & Forster Insurance Companies have been writing insurance only through independent agents. And while everything in this experience has proven the value to you of using them, it's just as important for you to get the right one.

There are over 300,000 independent insurance agents in the country. But, as we said, only 2,200 of them have been appointed to handle Industrial Indemnity. All of our agents and brokers are insurance professionals who have established their personal and professional reputations in their communities.

Call 800-447-4700 toll-free anytime.

We'll be glad to give you the names of the Industrial Indemnity agents near you. Each of them would be happy to sit down with you and appraise your insurance situation and to then give you his expert, objective opinion—without any obligation to you. Or to us.

We're glad to recommend him. Even though he may not always recommend us.

INDUSTRIAL INDEMNITY

one of the
**CRUM & FORSTER
INSURANCE COMPANIES**

THE POLICY MAKERS.

THE FUTURE

Deutschland über Alles

A Paris-born team of forecasters fielded by Futurist Herman Kahn's Hudson Institute caused a sensation in Europe last spring when it predicted that the French gross national product would surpass West Germany's in the 1980s. Now a Swiss research firm, Prognos, A.G., has come to a contrary conclusion: though West Germany is headed for some severe strains, it is likely to remain dominant in Western Europe for at least 20 years.

The Hudson study was commissioned by the French government. The 600-page report by Prognos, a well-regarded Basel firm, was prepared for cor-

slavs and Italians) will swell to nearly 3,300,000 as German manufacturers rely more heavily on low-paid foreign help to raise their productivity. In German plants, productivity will rise by a steady 5% a year (the long-term U.S. average is 3.1%). The German work week will shrink from 42 to 38 hours.

► Personal incomes in West Germany, already Europe's highest, will increase from today's average of \$3,440 per capita annually to \$8,960. Yet inflation will take much of the *Gemütlichkeit* out of the German future. The magazine *Jasmin* predicts that the price of potatoes in German shops will quadruple by 1980, while a dentist's fee for gold bridgework will increase a painful 1,000%.

► West German exports will surge



NEW BEETLES AT VOLKSWAGEN PLANT IN WOLFSBURG

At least 20 more years of economic dominance in Europe.

porate customers. Kahn's researchers concluded that the French would pass the Germans because of the greater productivity of French workers coupled with France's foothold in such future-oriented industries as aerospace and computers. Hudson's 5.5% yearly growth rate for France is projected as the highest of any industrialized European nation. Yet Prognos Economist Claus D. Kernig argues that France is "still so far behind in total output that it is unlikely to catch up with Germany in the next two decades."

Prognos researchers believe West Germany should be able to continue growing at a 4.5% yearly rate. If it does, the West German economy by 1985 could more than double in size and reach the 1 trillion Deutsche Mark level—about \$418 billion at current rates. Meanwhile, Prognos reckons, France will still be a distant second, with a G.N.P. of about \$270 billion; Britain, with a \$150 billion G.N.P., will remain in third place, only slightly ahead of Italy (comparisons are difficult because of distortions in exchange rates).

Other Prognos forecasts:

► The 2,300,000 "guest workers" in West Germany (mostly Turks, Yugo-

slavs and Italians) will swell to nearly 3,300,000 as German manufacturers rely more heavily on low-paid foreign help to raise their productivity. In German plants, productivity will rise by a steady 5% a year (the long-term U.S. average is 3.1%). The German work week will shrink from 42 to 38 hours.

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► West German exports will surge

from less than 35% of industrial output currently to more than 50%. But lopsidedly favorable German trade balances will finally begin to diminish because Germans will be investing more of their marks abroad while paying more for raw materials from the developing countries.

► For the first time, the German government will be forced to deal with a problem that is familiar in the U.S.—special "structural" unemployment in a time of economic expansion. Explains Economist Kernig: "Germany will soon see more Germans seeking work, while more immigrant workers have jobs."

MILESTONES

► **Born.** To Jane Fonda, 35, Oscar-winning actress (*Kluge*) and militant champion of such liberal causes as Indian rights and Women's Lib, and her husband since January, Tom Hayden, 33, one of the Chicago Seven and most recently a witness for the defense in the Pentagon papers trial: their first child, a son; in Los Angeles. Name: Troy O'Donovan Garity.

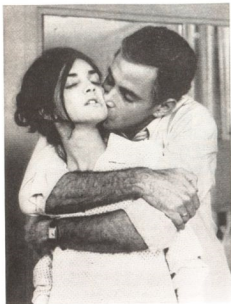
► **Marriage Revealed.** Diana Rigg, 33, British actress who played the sultry, liberated karate expert of television's *The Avengers*; and Israeli Artist Menachen Gueffen, 43; she for the first time, he for the second; in London; on July 6. Trained originally as a Shakespearean actress, since 1972 Rigg has been a leading lady with England's National Theater Company.

► **Married.** Ali MacGraw, 34, the willowy Wellesley graduate whose acting (*Love Story*) is still accidental; and *The Getaway* rebel Steve McQueen, 43; she for the third time, he for the second; in Cheyenne, Wyo. McQueen summoned a justice of the peace from a golf course to a city park to perform the ceremony, which was attended by McQueen's son and daughter and MacGraw's son by her second husband, Robert Evans, vice president in charge of production at Paramount Pictures.

► **Died.** Robert Ryan, 63, ruggedly good-looking actor with a talent for violent roles; of lung cancer; in Manhattan. Among Ryan's best performances in a screen career that spanned 30 years and some 90 films: the aging, failing prizefighter in *The Set-Up* (1949) and an anti-Semitic Marine in *Crossfire* (1947). Onstage he scored more recent triumphs in a Broadway revival of *The Front Page* (1969), in which he played the cynical managing editor, Walter Burns, and as the father in Eugene O'Neill's *Long Day's Journey into Night* (1971).

► **Died.** Lon Chaney Jr., 67, son of Hollywood's greatest movie monster and something of a real horror in his own right; in San Clemente, Calif. Chaney, originally a character actor, created the role of the Wolf Man. But among his finest performances were Lennie, the clumsy, stupid giant in John Steinbeck's *Of Mice and Men* (1940), and the arthritic marshal in *High Noon* (1952).

► **Died.** Frederick Marcus Warburg, 75, sportsman, philanthropist, and for 42 years an internationally minded senior partner and so-called "foreign minister" of Kuhn, Loeb & Co., one of Wall Street's oldest and most powerful banking and investment firms; of heart disease; in Winchester, Va.



CORRIERI & NUNEZ IN "MEMORIES"

Revolutionary Ennu

MEMORIES OF UNDERDEVELOPMENT
Directed and Screenplay by
TOMAS GUTIERREZ ALEA

This is a work of considerable accomplishment and historic importance: the first Cuban film to be shown in the U.S. since relations with Havana grew grim. Indeed, Washington spent a great deal of time deciding whether to let the movie into the country at all, and finally decided to allow it to be shown "for educational purposes."

It is difficult to see what anyone could find subversive in this intense, loosely structured narrative about the life of a middle-class intellectual in the days after the Castro revolution. The movie is complex, intelligent and totally lacking in hortatory propaganda. Tomas Gutierrez Alea is a director of cool passion and careful control. It is the measured force of *Memories of Underdevelopment*, as well as the novelty of its appearance, that has occasioned a critical reception somewhere between rapture and delirium. Yet just as it does not merit governmental suspicion, the movie cannot fully sustain that kind of response.

The opening moments of *Memories* are its finest. The credits flash over a kinetic, desperate dance sequence. The screen is crowded with faces; bodies whirl about to an African rhythm. There is, through all the noise and the music, the suggestion of a gunshot, and suddenly a lifeless body appears in the middle of the dance. The music gath-

ers force, people crowd in, the corpse is lifted away, the dance goes on—and the image freezes on the anxious, frightened face of a black woman staring out into the audience. The scene has extraordinary energy, with its suggestions of abrupt but casual violence, always threatening but quickly absorbed. The very next scene balances and complements it: a long interlude of farewells at the Havana airport, families breaking up, hurrying to leave the country for Miami. Here is the first introduction of Sergio (Sergio Corrieri), who remains in Cuba by choice while his wife and parents fly to America. His farewell is unique among the others all around him for its detachment. Watching his wife and parents leave, Sergio is not seeing his life out but watching it begin.

Sergio considers his country very like himself: stunted, uncertain, still suffering from the physical and psychological effects of "underdevelopment." He lives off the income he still receives on apartments the government took away from him, and tries to be a writer, sifting through the shards of his own and Cuba's past. He has lazy, erotic daydreams about his cleaning lady (Eslinda Nunez); he takes up with a girl called Elena (Daisy Granados), then loses interest in her. Her family drags him to court, where he watches the proceedings while considering that before the revolution he would have been judged innocent solely on the basis of his class; now, he thinks, the court will side with the girl's poor family. Instead he is exonerated.

As he spends a restless night, still trying to define his moral and intellectual status, the city outside mobilizes for a possible military invasion. There are phantom images of guns being hauled up to roofs and tanks rumbling through the gray morning streets. It is the time of the missile crisis.

What is most ambitious in the film—the delicate correlation between political reality and subjective experience—is what works least well. What matters most, however, is Gutierrez Alea's bright, hard intelligence and his restlessness, his searching after both political and human resolution. ■Joy Cocks

Square Dance

THE MAN WHO LOVED CAT DANCING
Directed by RICHARD C. SARAFIAN
Screenplay by ELEANOR PERRY

Here is a movie that hymns the joys of a woman's subjugation to a man. As the standoffish wife of a rich rancher (George Hamilton), Catherine Crocker (Sarah Miles) runs away from home one day smack into a train robbery. The desperadoes, making off with the loot, take a fancy to Catherine's horse. Since

Catherine refuses to dismount, she too is borne off into the wilderness.

Two of the bad guys (Jack Warden and Bo Hopkins) naturally have a fierce lurch for her. The third desperado, a stronger and more reserved type named Jay Grobart (Burt Reynolds), intercedes on behalf of her honor. This causes all sorts of fraternal tensions during the trek across country, leading to violence, death and a highly unlikely romance. The affair is finally consummated when Jay sweeps the adoring Catherine up in his arms and mutters, "You are the god-damnedest woman I ever met," as he bears her off to bed in the hotel of a deserted mining town.

Eleanor Perry's script does not have the funk to be exciting or enough true spirit to transcend the wind-blown banalities of the plot. Most bothersome is the conception of Catherine as a self-ish, useless whiner who is brought to her senses and full womanhood through the ministrations of Grobart. Even if *Cat Dancing* is meant to be only a kind of soap-opera fantasy, it is an especially demeaning one.

The movie does have some casual charms: a good, rugged sense of Western landscape by Director Sarafian and a rather fetching performance by Sarah Miles, less mannered than her recent appearance in *The Hireling* (TIME, July 9). Burt Reynolds is best of all. His is a silly, thankless part, but he plays it smoothly, with a strong undercurrent of ironic humor. He is a deft and winning actor, and it would be good to see him again in something like *Deliverance*, in a part that challenged his abilities rather than pampered them. ■J.C.

MILES & REYNOLDS IN "DANCING"
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The Icegate

PEARY AT THE NORTH POLE: FACT OR FICTION

by DENNIS RAWLINS

319 pages. Luce, \$8.95.

WINNER LOSE ALL: DR. COOK AND THE THEFT OF THE NORTH POLE

by HUGH EAMES

346 pages. Little, Brown, \$8.95.

According to the first law of hero-dynamics, every epic action has an equal and opposite reaction. One nation's hero is some other nation's villain; one man's idol is another's voodoo doll. The second law is that legends

he wrote ringing letters about ambition to his mother. Resting in his igloo after the last polar trip, he contemplated elaborate designs for his mausoleum. But according to Matt Henson's recollections, Peary was sullen and evasive about their exact positions at the top of the world. He asserted his claim to the Pole only after returning to civilization and learning that the world was already crediting the achievement to Frederick A. Cook, a Brooklyn physician. The stakes were high for both men: the polar itch had become the obsession of their lives, but there were also publishing contracts and lucrative lecture tours.

Peary and Cook were quite differ-

ent to show him atop Mount McKinley—an assertion that has never been satisfactorily proved. His last great misadventure was as an oil-stock promoter in Texas, where a mail-fraud scandal got him five years in Leavenworth.

Nevertheless, the Peary-Cook controversy smolders on, as dark and smelly as an Eskimo's blubber lamp. The Pearyites generally stand pat on the slushy record. Cook's boosters, like California Biographer Hugh Eames, author of *Winner Lose All*, tend to heap benefits where there is clearly doubt and portray their man as an unworried underdog, victimized by the Establishment. Eames' assertion that Cook reached the North Pole on April 21, 1908, is not even borne out by Cook himself, who would not vouch for the accuracy of his instrument readings beyond a "reasonable certainty." It is also reasonably certain that Peary's friends, who included newspaper executives, took special care and relish in destroying Cook. For all his shadiness, he still cuts a heroic figure. Unfortunately, the fullness of his personality is flattened by Eames' frequently naive attempts to prove what remains unprovable.

Dennis Rawlins, a former professor of physics and astronomy at New Jersey's Upsala College, appears to have come closer to the truth. It is most unlikely, he concludes, that either Peary or Cook ever reached the North Pole, 90° north latitude, 0° longitude. The odds against their finding it were too great. For the North Pole is a purely theoretical location hovering over immense seas of drifting, heaving ice. To Rawlins, Peary's claim that he made a beeline to the Pole over such terrain in -50° F. temperatures is hard to swallow, particularly since he used his sextant sparingly. On the last leg of his trek, he ordered his only thoroughly trained navigator to stay behind. Peary's recorded speeds of the final march far exceed the rate he had managed previously. Others have noted that the logs Peary presented as evidence were surprisingly clean considering that Arctic explorers seldom washed before or after eating their greasy pemmican.

Scientific Job. The absence of verifiable navigational calculations also discredited Cook's story. Yet in 1911, Peary's records struggled past a congressional subcommittee review. Despite serious reservations, none of the Congressmen were eager to question Peary's words as a gentleman and Navy officer. Such was the atmosphere in the days when exploration was a patriotic sport and not a scientific job.

Who then was the first man to verify beyond doubt reaching the North Pole on a journey over the ice? Revising history is frequently a comedown for the hero (and anti-hero) workshop. But for the record: it was not one man



DR. FREDERICK A. COOK IN 1911



PEARY ON DECK OF POLAR SHIP "ROOSEVELT"

Penguin bumpers, greaseless pemmican and some fudge at the North Pole.

tend to polarize and absolute legends polarize absolutely.

For most Americans, Rear Admiral Robert Edwin Peary, U.S.N., is an absolute legend that goes like this: on April 6, 1909, after 23 years, eight attempts and Arctic hardships that included the loss of his toes, Peary became the first man to stand at the North Pole. It is a nearly perfect schoolboy legend of endurance and courage rewarded with honor and wealth. There is even a touch of Melville in Peary's faithful black polar companion, Matthew Henson, who wound up with a \$900-a-year job as a messenger at the U.S. Customs House.

Yet, as history, the saga of Robert Peary was fissured from the beginning. Peary was never reticent about his hunger for glory. Like Douglas MacArthur,

a Peary expedition was a big production with Government support and financial backing from a group of New York millionaires. Cook was a loner who had worked his way through medical school as a milkman. He preferred to travel light, live like an Eskimo and depend on his ingenuity. On one expedition to the Antarctic he saved his ship from the ice by using the bodies of penguins as bumpers. He designed clever gear, including a sled that could be converted into a kayak.

Once below the Arctic Circle, however, Peary and his friends could pull most strings. It took them two years to turn the tide of public opinion against Cook and in their favor. Cook fought back, but he was his own worst enemy. He had seriously damaged his credibility in 1906 with a photograph purport-

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Sources: The Financial Times of London, Italian Government Travel, Institute of Petroleum, London, England, and the German Tourist Board

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BOOKS

at all but a U.S.-Canadian team led by one Ralph Plaisted of Minnesota. The party arrived April 19, 1968, without so much as a mush. They were riding Ski-Doo's.

■ R.Z. Sheppard

Cries and Whispers

POEMS OF AKHMATOVA

Selected and translated by
STANLEY KUNITZ with MAX HAYWARD
173 pages, Little, Brown, \$7.95.

In the first volume of her magnificent memoir, *Hope Against Hope* (TIME, Jan. 18, 1971), Nadezhda Mandelstam, widow of Poet Osip Mandelstam, recalled her husband's grim joke on the subject of Russian culture in the 1930s. "Poetry is respected only in this country," he said. "There's no place where more people are killed for it."

Mandelstam was to die in one of Stalin's Siberian prison camps at the beginning of World War II. He was one of Russia's finest modern poets, an artist who built his poems from gritty blocks of life. Anna Akhmatova, a close friend of the Mandelstams, shared this politically hazardous aesthetic. When she died in 1966 at the age of 77, she was regarded as Russia's greatest woman poet. It is a distinction that today might be considered sexist, were this issue not overshadowed by the enormous struggle in the Soviet Union for intellectual and artistic liberty.

Born into a comfortable family, Akhmatova was basically unprepared for the life before her. *This cruel age has deflected me, / like a river from its course*, she wrote. Yet, as indicated by this Russian-English selection of her poetry, translated and commented on by Stanley Kunitz and Critic Max Hayward, Akhmatova's life probably never would have run smoothly. Although the original music is lost even in the best translation, enough of her emotional tones come through this excellent Englishing to suggest a tough individualist whose highly economical style was due not to reticence but a stubborn belief that she had distilled the truth and the reader could take it or leave it.

There is a mournful formalism about Akhmatova's poetry, a quality that shaped her sentiments in much the way that the laws of nature dictate the beauty of crystals. Her life is reflected in the cold facets of her art. Early poems tell of her unhappy marriage to the Russian poet, Nikolai Gumilyov. A short poem dated 1911 ends: *He could not stand bawling brats, / raspberry jam with his tea, / or womanish hysteria. . . And he was tied to me.*

Six years later, the Revolution dwarfed such domestic miseries. Akhmatova's marriage dissolved (Gumilyov was later shot by the Bolsheviks), and she withdrew into a brief marriage to an Assyriologist. Unlike many well-known artists, Akhmatova chose to remain in Russia. *I am not one of those who left the land / to the mercy of its en-*

emies begins an uncompromising poem that goes on to be unnecessarily contemptuous of those who fled.

Joining Russia's "inner immigration" of outcast writers and thinkers, Akhmatova lived during the '20s and '30s by translating and scholarship. Stalin's purges, which saw the jailing of her own 20-year-old son, sent her into a new creative cycle. The poems of this period scarcely disguised her bitterness. *Shah of the Shahs, / blessed in Allah's eyes, / how well did you feast? / You hold the world in your hand / as if it were a cold bright bead . . . But what about my boy, / did you enjoy his taste?* Although the poem was titled "Imitation from the Armenian," there is little doubt who the "Shah" was.

The Irony of World War II was that

EDITIONS DESIGNED INTO LE POÈME SANS MOTS



AKHMATOVA IN 1932

Deflected by a cruel age.

it brought many Russians a small degree of freedom. Stalin entreated his "brothers and sisters" to unite in defending the motherland. *Pravda* even printed one of Akhmatova's heroic war poems. Her dormant fame was reawakened. In 1944 she received a standing ovation after reading her poetry from a Moscow stage. But two years later, with the war won, Stalin was asking, "Who organized this standing ovation?" Akhmatova was proscribed again and her son was rearrested.

Like so many Russian artists, Akhmatova learned to discern fate in the changing cold war weather. The Khrushchev thaw brought renewed official acceptance. Much of her work was republished in Russia. At 75, she traveled to Oxford for an honorary degree, to Italy for a prize and to Paris, where 53 years before Modigliani had sketched her portrait. But fame, as Akhmatova once wrote, "is a trap wherein there is neither happiness nor light." Two years later, when she was

buried with full Orthodox rites, her graveside was crowded with the Soviet literary establishment.

Akhmatova's life seems to have been dedicated by history to a task more important than making fine poems. She had a mission, as her friend Nadezhda Mandelstam said, to survive and testify about a cruel age. She embraced the role. In a brief recollection, she tells about the hundreds of hours spent waiting outside Leningrad's prison for word about her son.

"Standing behind me was a woman, with lips blue from the cold, who had, of course, never heard me called by name before. Now she started out of the torpor common to us all and asked me in a whisper (everyone whispered there):

"Can you describe this?"

"And I said: 'I can.'"

■ R.Z.S.

Last Turns

THE DEVILS AND CANON BARHAM

by EDMUND WILSON
219 pages, Farrar, Straus & Giroux,
\$7.95.

*The wretched old physique decays.
One smoulders in a slump for days;
Goes blank on names; yaga, forgets
What one was saying; loves bets.
And yet the effort must be made,
The hell to take the stage obeyed. . .*

Edmund Wilson, who wrote those lines almost two decades before his death last year at 77, obeyed the bell to the end. The ten essays and reviews collected in *The Devils and Canon Barham* are the last turns in what he once called the All-Star Literary Vaudeville.

Written in the final four years of his life, the pieces do show some stiffness and shortness of breath. *Devils* does not have the force of posthumous revelation that can be expected from his diaries and journals, which will start pouring forth early next year. Yet the book is a reminder that Wilson, even falling off, wrote at a level that few critics ever reach.

He was not one critic but a dazzling one-man symposium. *Devils* represents Wilson the percipient tourist (in an essay on Italy's 16th century garden of sculptured monsters at Bomarzo), Wilson the memoirist and literary gamesman (in a record of his friendship with Novelist Edwin O'Connor), and Wilson the reviewer-who-was-there.

Also making a major appearance, as he did in a famous feud with Vladimir Nabokov, is Wilson the noble crank. Here he makes a dyspeptic but delightful attack on the cumbersome, pedantic paraphernalia assembled by the Modern Language Association (the college literature teachers' "union") to edit and publish classic American authors. The blame, says Ph.D. system

TIME, JULY 23, 1973

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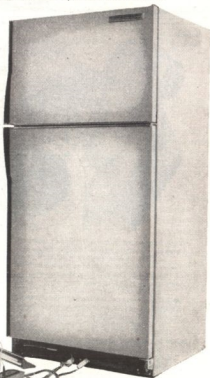
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BOOKS

of which we would have been well rid if, at the time of the First World War, when we were renaming our hamburgers Salisbury Steak and our sauerkraut Liberty Cabbage, we had decided to scrap it as a German atrocity."

Throughout, Wilson holds to the aim he set for himself as a young critic: "Try to contribute something new ... or call attention to some neglected aspect ..." An example of the latter is Wilson's emphasis on Mencken's "habitual confusion in thinking and his dogmatic German brutality ... We never expected coherence of Mencken. He was a poet in prose and a humorist."

As for championing unfamiliar writers, perhaps the best thing in *Devils* is Wilson's double essay on *Two Neglected American Novelists*—the fastidious Henry B. Fuller, who chronicled the collision of Europeanized culture with a bustling new America in turn-of-the-century Chicago, and the flamboyant Harold Frederic, a foreign correspondent whose fiction looked back on the callow, small-town life of upstate New York during and after the Civil War. In making a case for both novelists, Wilson uses his well-known technique of writing criticism that draws on the resources of fiction and history.

For all the weighty compactness of detail and insight in Wilson's prose, it gives the impression of a broad sweep of scenes and events. The irony is that although Wilson ends by calling for full-scale books on both Fuller and Frederic, the reader of this essay may not feel in need of another word on either subject. ■ Christopher Porterfield

Best Sellers

FICITION

- 1—Breakfast of Champions, Vonnegut (2 last week)
- 2—Once Is Not Enough, Susann (1)
- 3—Harvest Home, Tryon (8)
- 4—Facing the Lions, Wicker (4)
- 5—Evening in Byzantium, Shaw (3)
- 6—The World of Apples, Cheever (9)
- 7—The Summer Before the Dark, Lessing (6)
- 8—Curse of Kings, Holt
- 9—Law And Order, Uhlenk
- 10—The Hungarian Game, Hayes (10)

NONFICTION

- 1—Sybil, Schreier (6 last week)
- 2—The Joy of Sex, Comfort (3)
- 3—Dr. Atkins' Diet Revolution, Atkins (1)
- 4—Laughing All the Way, Howar (4)
- 5—I'm O.K., You're O.K., Harris (8)
- 6—My Young Years, Rubinstein (5)
- 7—Serpico, Maas (2)
- 8—Weight Watchers Program Cookbook, Nidich (9)
- 9—W.C. Fields by Himself, edited by Ronald J. Fields
- 10—The Implosion Conspiracy, Nizer (7)

SHOW BUSINESS

The Artist as Monster

Arriving for the showing of his new film, *O Lucky Man!*, at the Cannes Film Festival last May, Director Lindsay Anderson was incensed by the typical Cannes display of bared bosoms and battling paparazzi clamoring in front of the theater. He confronted one giggling "starlet" posing for photographers in the doorway and slapped her resoundingly on the bottom. "Get on inside and see the film," he told her, and then turned his wrath on Cannes' organizer. "This is a degenerate festival," he said. "I remember when it was fine. Now it's cheap and disgusting."

If the starlet did go inside to see the film, she would have found that Anderson the director reveals as much of his dour, sardonic Scots heritage as Anderson the man does. *O Lucky Man!*, now on view across the U.S. (TIME, June 18), presents the audience with visions of itself as it might be seen in fun-house mirrors, reality reflected as grotesque fantasy: Big Business in blue suits calmly watching a colleague throw himself from a skyscraper window; Inhuman Science manipulating evolution by transplanting a man's head onto the heaving hulk of a hairy hog. Critics have called the film everything from "heart-breakingly perceptive" to "a laborious, sophomoric dud."

Anderson rages in his films at the state of modern humanity, deadened by

conformity and isolated in a world gone ludicrously amuck. His job, he seems to feel, is to jolt his viewers awake the same way he did the starlet: with a sound moral thwacking. "The artist must always aim beyond the limits of tolerance," he once wrote. "His duty is to be a monster."

As a young critic for the London film magazine *Sequence*, Anderson often made such arrogantly intellectual pronouncements. The son of an army officer, he was born in Bangalore, India, and educated at public schools and Oxford. Through his *Sequence* articles, Anderson won the opportunity to make his first short films—industrial documentaries sponsored by a conveyor-belt manufacturer. His first nonindustrial film, a gentle documentary on deaf children made in 1953, won an Academy Award.

In 1956, spurred by the emergence of the New Left in the English arts, Anderson and other young men like Directors Tony Richardson and Karel Reisz formed a loose association called "Free Cinema." Their self-assigned mission was to break away from the brittle, upper-middle-class-oriented British film tradition and make gritty, naturalistic movies about the life of the English majority—the working class. Anderson succeeded superbly with his 1963 adaptation of David Storey's novel about semipro rugby players, *This Sporting Life*. He then turned to "strong



DIRECTOR ANDERSON AT WORK ON "O LUCKY MAN!"
Visions in fun-house mirrors.

humanist statements," notably *If... Set* in Anderson's old school, Cheltenham College, *If... Set* ends with the students revolting against the stifling hypocrisies of the institution by mowing down faculty and trustees with machine guns and grenades.

Meanwhile, Richardson had helped to bring Anderson into the Royal Court theater. Over the years Anderson has also made a reputation as an unflashy, deeply sensitive stage director, notably



"THE GREAT GATSBY" FILMING AT NEWPORT VILLA



Wanted: Aristocrats, \$1.65 Per Hour

Long Island, decided the moviemakers, has lost its old West Eggian elegance, so they transplanted *The Great Gatsby* to the more richly idle colony of Newport, R.I. Otherwise, no emerald-cut stone was left unturned to ensure authenticity in re-creating Gatsby's lavish parties. The set was Rosecliff, a villa designed in 1902 by Architect Stanford White. The Packards and Mercers and Rolls-Royces lining the driveway were lovingly polished antiques. The gowns were late 1920s originals, and the million-dollar armature of jewelry was certified Cartier. It was only fitting, therefore, that among the 500 extras chosen for their "air of bored arrogance" there were more than a dozen scions of Newport's finest families.

"These rich are very star-struck," observed a technician, trying to ride herd on a crowd that included Mrs. James Van Allen, Mrs. Claiborne Pell, Mrs. T.J. Oakley Rhinelanders and Mr. and Mrs. Wiley Buchanan.

For some, the between-takes intervals outside in the rain quickly doused the delights of ogling the stars and each other. "We were sitting there looking like an Indian tribe, with blankets around us," explained Mr. Buchanan. "and I said, 'I'm going home.'" Others were ready for more. "We were paid \$1.65 an hour, and I'll probably have to pay a surgeon God knows what to repair my legs," said Mrs. Robert ("Oatsie") Charles, who stood on the party set from 6 p.m. to 6 a.m. "But I'd do it again if I could stand up."

By week's end a few Newporters had got thoroughly into the class spirit of their roles. Noted one bejeweled matron, "Some of the extras playing grand ladies have begun ordering around others dressed as maids."

MIA FARROW (LEFT), RHINELANDERS, VAN ALLEN

SHOW BUSINESS

with productions of several plays by Storey, including *The Contractor*, *Home*, and *The Changing Room*—low-keyed, subtly poetic accounts of seemingly mundane lives.

The old New Leftist fills in between his stage and film projects by making TV commercials. "In America, reputable directors don't do that," he notes. "In England they do. It's a better way of making bread and butter than making bread-and-butter feature films."

A stocky man with a serious mien and a sharp, witty manner, Anderson, 50, is so obsessive about his work that he has remained a determined bachelor; marriage, he says, "would be fatal. I would have obligations elsewhere." He has holed up in the same book-littered flat for 16 years, sometimes choosing not even to answer his phone. He dresses with studied shabbiness and cultivates an aversion for big hotels, big parties and fancy restaurants. "He hates anything fashionable," says Actor Malcolm McDowell. "If we go to a restaurant and there are socialites there, he gets up and leaves. I've been to three bloody restaurants in one evening with him."

His commitment has earned him a loyal coterie of actors and technicians who turn up repeatedly in his productions. "Any actor would do anything for him," asserts McDowell, who plays a character named Mick Travis in both *It...* and *O Lucky Man!* (The two Micks are not meant to be the same person; the name was repeated, says Anderson, "for old times' sake.") Continues McDowell: "The party scene in *Lucky Man!* was shot on Sunday—for free—because it was not in the budget. Lindsay asked if we would do it, and every single actor came in for nothing. *L'Esprit de corps* he gets from actors is amazing."

As a respite after 2½ years of work on *Lucky Man!*, Anderson plans to return this fall to what he considers the easier business of the stage, directing a new Storey play. The program notes for his current London production of *The Changing Room* announce that *Lucky Man!* will be his "last film." Not precisely true, admits Anderson with a grin. "It was a sort of devilment. I like to advertise that directing a film is not the marvelous thing people think it is. In fact, I just like to make them think. Anyway," he adds, "when in pain I believe in groaning a lot."

Mississippi Stagecraft

It's a sight out of a Twain lover's imagined memory: a tiny, homemade Mississippi River raft, buoyant on blue oil-drums, flapping blue canvas greetings from its scanty half deck. On board is a troupe of traveling players who ply their ancient art along the river's muddy banks. But their message has a decidedly new twist. Funded by a grant from the National Endowment for the Arts, the Otrabanda Theatre Company



OTRABANDA THEATRE TROUPE AT RIVER'S EDGE IN MISSOURI

—four actors, one actress, a crew-woman and, until recently, a dog named Sweeney—this summer is bringing frenetic, sometimes avant-garde drama to 30 Mississippi River communities from St. Louis to New Orleans.

The members of Otrabanda—Sweeney excepted—are all in their mid-20s, former drama students at Antioch College under the tutelage of Flemish Playwright and Director Tone Brulin. When Brulin moved from Antioch to the Caribbean island of Curaçao, a group of his devoted students joined him, and in 1971 they formed Otrabanda (named for the black residential quarter of Curaçao—known as "the other side"). After returning to the U.S., the company employed Brulin's brash, blunt, highly physical and often noisy techniques mainly on tours to colleges and universities. "We played to very elite audiences," says Otrabandist David Dawkins, "which was exactly what we didn't want to get into. We wanted to play to everyone."

Working in the backyard of a retired Antioch drama professor, in Yellow Springs, Ohio, the Otrabandists assembled a raft by strapping flooring and two-by-fours to twelve 50-gallon drums donated by a local company. They added a canoe to trail behind for occasional jaunts to shore, then trucked the whole caboodle to St. Louis and launched *The River Raft Revue*—"at the world's most popular price: free!" (The National Endowment grant of \$15,000 is enough to cover expenses and possibly provide \$25 per week in salary for each actor.)

A green and white Volkswagen van and trailer, carrying props and a gaudily striped circus tent, drives along the highways ahead of the 4-m.p.h. raft. The idea is to pique the curiosity of the local townfolk with the circus tent and catch their interest with oldtime medicine-show acts in the first half of the program—a jerky juggling act, for example, or the wonders of "Miraculo" the Magician, an exotic gentleman "just returned from the remote and distant shores of Long Island."

Then after an announcement that



DRIFTING ABOARD RAFT
"Mighty free and easy."

the second half of the show is "not recommended for children," the Otrabandists perform *Stump Removal*, a raucous satire on the evils of modern society. In the eerie light cast by pie-plate reflectors strung to a pair of Coleman lanterns, a mad scientist creates four human beings who romp about in long underwear of various hues and are taught to be guilty, suspicious, prejudiced and greedy. A second batch of people whipped up by the scientist revolts, however, and imprisons him under an upended grocery cart.

Some spectators object to the play's negativism and strong language. One woman at a recent performance in Cape Girardeau, Mo. (pop. 32,700), was offended by the long underwear. "At least," she bristled, "the girl could have worn a frilly dress." The company has had to modify *Stump Removal* by chastening its sex scenes and toning down a few lines—"the cheapest whorehouse in town" has become "the cheapest dance hall in town." But Dawkins believes most audiences sympathize with the play's "rejection and overthrow of oppressive authority."

After each performance, the Otrabandists push out into the river again. There, as Huck Finn said, things are "mighty free and easy and comfortable," despite an occasional near collision with a barge. "We like the idea of just being taken by the current," says Actress Diane Brown. "You can take a deep breath and, whew, let it all out."

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